



FEDERAL BUREAU OF INVESTIGATION

Hubert H. Humphrey

---

PART # 1

PAGES AVAILABLE THIS PART

331



DESCRIPTION  
BUREAU FILE

SUBJECT HUBERT HUMPHREY

FILE NO. 62-77485

SECTION NO. 1

SERIALS

1-49

156 PGS. AVAIL.

## Office Memorandum • UNITED STATES GOVERNMENT

LBN:HBM

TO : MR. TOLSON

FROM : L. B. NICHOLS

SUBJECT:

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED

DATE 6-1-82 BY 7855/sa/ajp V. L.

January 12, 1945

Mr. Tolson  
Mr. E. A. Tamm  
Mr. Clegg  
Mr. Coffey  
Mr. Glavin  
Mr. Ladd  
Mr. Nichols  
Mr. Rosen  
Mr. Tracy  
Mr. Carson  
Mr. Egan  
Mr. Gurnea  
Mr. Harbo  
Mr. Hendon  
Mr. Pennington  
Mr. Quinn Tamm  
Tele. Room  
Mr. Nease  
Miss Beahm  
Miss Gandy

SAC Rhodes called from Duluth, Minnesota this morning. He is in Duluth checking on the resident agent's office.

Last evening [redacted] told him as he was leaving St. Paul that Mayor Kline of Minneapolis is going to run for re-election in the May primaries and in the June elections. He will again be opposed by Hubert Humphrey, a political science professor, whom Kline beat in the last election by 7,000 votes, which is a very close election. Yesterday [redacted] told [redacted] that Kline was going to run on a good government ticket on the basis of cleaning out the racketeers (Rhodes stated that Kline is controlled by the racketeers), that Kline would come to Washington to see the Director and try to get the Director's ideas on a setup whereby crime might be combatted in St. Paul.

There is a good indication that Kline will be defeated. You will recall that we have had contacts with Kline in the past. He is quite a verbose individual and is always looking for some political consideration. Rhodes stated that he understood Humphrey was a good friend of the Attorney General and [redacted] and managed the coalition campaign for the Democratic Farm Labor Party this summer. He is also a close friend to [redacted]

*It looks as if neither  
bargain is.*

58 FEB 1 1945

INDEXED

62-17485-1

JAN 27 1945

4

JEH:cgb

W  
01  
12-77485-2

October 2, 1945

MEMORANDUM FOR MR. TOLSON  
MR. CLEGG  
MR. NICHOLS

On September 21, 1945, Mr. Hubert H. Humphrey, the Mayor of Minneapolis called to see me, accompanied by [REDACTED]. Mr. Humphrey stated that he was recently elected as Mayor of Minneapolis and was particularly desirous of giving that city a clean, vigorous administration, particularly in the field of law enforcement. He stated that he had appointed as Chief of Police, Mr. [REDACTED] an NPA graduate. I told him that I knew favorably of Mr. [REDACTED] and believed he would be an honest and an efficient police executive. b7c

The Mayor urged that at some time in the near future I come to Minneapolis and that if there had been an improvement in the local situation, as he hoped to bring about, that I might see clear to comment on it, and express my views. I advised him my commitments were very heavy at present, but that if he would communicate with me at some later date, I would check to see it were possible to accede to his request.

Very truly yours,

J. E. H.

John Edgar Hoover  
Director

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 6-1-82 BY 4855/sa/bep

Tolson  
E. A. Tamm  
Clegg  
Glavin  
Ladd  
Nichols  
Rosen  
Tracy  
Harbo  
Mohr  
Tele. Rm.  
Mr. Holloman  
Miss Gandy

10:33 a.m.  
10-3-45

256  
OCT 15 1945

5

## Office Memorandum • UNITED STATES GOVERNMENT

TO : THE DIRECTOR

FROM : MR. LADD

SUBJECT: HUBERT H. HUMPHREY

DATE: 9/20/45

Mr. Tolson ✓  
 Mr. E. A. Tamm  
 Mr. Clegg  
 Mr. Coffey  
 Mr. Glavin  
 Mr. Ladd  
 Mr. Nichols  
 Mr. Rosen  
 Mr. Tracy  
 Mr. Carson  
 Mr. Egan  
 Mr. Hendon  
 Mr. Pennington  
 Mr. Quinn Tamm  
 Tele. Room  
 Mr. Nease  
 Miss Beahm  
 Miss Gandy

Pursuant to your request a summary memorandum of information relating to the captioned individual has been prepared from information contained in the Bureau's files.

It is to be noted that he has never been the subject of a Bureau investigation and basic background data are therefore lacking.

However, various individuals have shown his close connection with members of the Communist Political Association in Minnesota.

Attachment.

ALL INFORMATION CONTAINED  
 HEREIN IS UNCLASSIFIED  
 DATE 6-1-82 BY 7858/SR/CL/g

COPIES DESTROYED  
 NOV 12 1964 377

EX-66  
 19 OCT 9 1945  
 162-77485-2

Class. & Ext. By 858/SR/CA/90  
Section 1-2.4.2  
Date 6-1-90

UNCLASSIFIED  
CONFIDENTIAL

September 20, 1945

RE: HUBERT H. HUMPHREY

The above-named individual, an unsuccessful candidate for Mayor of Minneapolis in 1943, was elected Mayor of that city and assumed office in July of 1945. One of his first official acts was to appoint Ed Ryan, FBI National Police Academy graduate, as Superintendent of Police in Minneapolis. Prior to his appointment, [REDACTED]

[REDACTED] Minneapolis, contacted the Bureau office in St. Paul and was informed of the Bureau's preference for Ed Ryan. It is, therefore, felt that [REDACTED] had an important part in this appointment since at that time he was serving on [REDACTED]. It is interesting to note that another appointee of the Mayor for the selection committee was one [REDACTED].

The St. Paul Office furnished information to the Bureau in the early part of 1945 reflecting that [REDACTED], stated that Communist Party functionaries were supporting Humphrey in his political race and if elected, [REDACTED] felt that Communists would fill key city jobs.

[REDACTED] no evidence has been received of his membership in the Communist Political Association, his close association therewith has been made clear. In confirmation of this situation may be seen the information that Humphrey worked on the merger of the farmer-labor and democratic parties under the direction of the Communist Political Association and the strong support given Humphrey which members of the CPA in Minneapolis claim was the determining factor in his election.

Long recognized as a Liberal, Humphrey was in 1944 Professor of Political Science at MacAlester College in St. Paul and under the guise of "Liberal" was reportedly an instructor in the Abraham Lincoln School extension in Minneapolis in March of 1944; spoke at a Soldiers' Rally in May, 1944 which was arranged by the American Youth for Democracy, and reviewed the book, "Under Cover" for the Student League for Democracy at the University of Minnesota.

NOT DESTROYED

RECEIVED 12-2-1964

CONFIDENTIAL

62-77485-2

January 28, 1947

MEMORANDUM FOR MR. TOLSON  
MR. TAMM

On Friday of last week, on my way to New York, the attached letter was presented to me by Mr. Hubert H. Humphrey, Mayor of Minneapolis, and [REDACTED]. During the course of my conversation with them on the train, they stated that a year or so ago either the Mayor or [REDACTED] wrote me, requesting certain legal authority concerning the admissibility of evidence obtained by means of a dictaphone. They inquired at this time whether there had been any case carried to the Supreme Court of the United States or to any Federal Court dealing with the admissibility of evidence improperly obtained. In other words, their thought was that there might be certain types of evidence improperly obtained which might still be admissible under certain circumstances and conditions. I told them that I would look into this matter and advise them.

Will you please check on the correspondence which I have had with them and prepare an appropriate letter to Mayor Humphrey in answer to his oral inquiry.

Very truly yours

John Edgar Hoover  
Director

Attachment  
(See Mr. Tolson's copy)

Tolson \_\_\_\_\_  
E. A. Tamm \_\_\_\_\_  
Clegg \_\_\_\_\_  
Glavin \_\_\_\_\_  
Ladd \_\_\_\_\_  
Nichols \_\_\_\_\_  
Rosen \_\_\_\_\_  
Tracy \_\_\_\_\_  
Carson \_\_\_\_\_  
Egan \_\_\_\_\_  
Gurnea \_\_\_\_\_  
Harbo \_\_\_\_\_  
Hendon \_\_\_\_\_  
Pennington \_\_\_\_\_  
Quinn Tamm \_\_\_\_\_  
Nease \_\_\_\_\_  
Miss Gandy \_\_\_\_\_

JEH:HCB

158 1947 14 M  
FEB 5 1947

RECORDED

INDEXED

336

62-77485-3

FEB 8 1947

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 6-1-82 BY 7858 SP/act

8

February 11, 1947

SOME ASPECTS OF THE ADMISSIBILITY OF EVIDENCE

I. Admissibility of Evidence Wrongfully or Illegally Obtained

A. Federal Rule

Until 1885 it was the general practice of the United States Supreme Court to apply the common law rule on the admissibility of evidence. In *Olmstead v United States* (1928) 277 U.S. 438, Chief Justice Taft pointed out that unless there is a specific rule to the contrary the rules of evidence are those of the common law, confirming -

"The common law rule is that the admissibility of evidence is not affected by the illegality of the means by which it was obtained."

Mr. Taft cited Professor Greenleaf's work on evidence, Volume I, 12th edition, by Redfield, Section 254 (a) which stated in part -

".....though papers and other subjects of evidence may have been illegally taken from the possession of the party against whom they are offered, or otherwise unlawfully obtained, this is no valid objection to their admissibility, if they are pertinent to the issue. The Court will not take notice how they were obtained, whether lawfully or unlawfully, nor will it form an issue, to determine that question."

*Olmstead v United States*, 277 U.S. 438 at p 467.

Mr. Taft also cited Jones on Evidence, Volume V, Section 2075, Note:

"where there is no violation of a constitutional guarantee, the verity of the above statement is absolute."

*Olmstead v United States*, 277 U.S. 438 at p 467.

In the case of *Mueslein v District of Columbia*, 115 F (2d) 690, the court said -

".....apart from duress and the like, illegal acquisition of evidence does not weaken its reliability, and hence, at common law, method of obtainment usually had no bearing upon the admissibility."

In 1885 the United States Supreme Court decided what Professor Wigmore referred to as the "ill-starred" case of *Boyd v United States*, 116 U.S. 616. In that case the court held that evidence illegally obtained by Federal officers is not admissible in the Federal Courts. This view was

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 6-1-82 BY 2858/SA/lyga

Mr. Tolson \_\_\_\_\_  
Mr. E. A. Tamm \_\_\_\_\_  
Mr. Clegg \_\_\_\_\_  
Mr. Glavin \_\_\_\_\_  
Mr. Ladd \_\_\_\_\_  
Mr. Nichols \_\_\_\_\_  
Mr. Rosen \_\_\_\_\_  
Mr. Tracy \_\_\_\_\_  
Mr. Carson \_\_\_\_\_  
Mr. Egan \_\_\_\_\_  
Mr. Gurnea \_\_\_\_\_  
Mr. Harbo \_\_\_\_\_  
Mr. Hendon \_\_\_\_\_  
Mr. Pennington \_\_\_\_\_  
Mr. Quinn Tamm \_\_\_\_\_  
Mr. Nease \_\_\_\_\_  
Miss Gandy \_\_\_\_\_

1 AUG 1 1950

62-77485-4

reaffirmed by the same court in the case of Weeks v United States in 1914, 232 U.S. 383. Despite the vigor with which Professor Wigmore (Wigmore On Evidence, Volume VIII, Section 2184) and Justice Cardozo (People v Defore, 242 N.Y. 413) have attacked the views of the United States Supreme Court in these two cases, the rule as there enunciated still obtains in the federal judiciary.

Chief Justice Taft in Olmstead v United States declared that the Weeks case -

".....announced an exception to the common law rule by excluding all evidence in the procuring of which government officials took part by methods forbidden by the Fourth and Fifth Amendments. Many state courts do not follow the Weeks case. People v Defore, 242 N.Y. 413. But those who do, treat it as an exception to the general common law rules and required by constitutional limitations."

Olmstead v United States 277 U.S. 438 at page 467.

It is clear, therefore, as pointed out in Olmstead v United States, that where there is a rule to the contrary the common law rule does not apply in the Federal Courts. The Boyd and Weeks cases do fix a rule to the contrary -

".....an established exception that excludes all evidence in the procuring of which government officials have invaded the right of privacy protected by the Fourth and Fifth Amendments."

United States v Flisco, 22 Federal Supplement at page 243.

The Federal rule is not binding upon the several state courts. Referring to these cases and others of a like nature Mr. Justice Cardozo said -

"Those judgments do not bind us for they construe provisions of the Federal Constitution, Fourth and Fifth Amendments, not applicable to the states."

People v Defore, 242 N.Y. 413; 150 N.E. 585.

In Twining v New Jersey, 211 U.S. 78, the Supreme Court held that the first eight Amendments to the Federal Constitution are restrictive only of national action. Consequently the restrictions imposed by the Fourth Amendment do not apply to state officers.

The same rule was laid down in Weeks v United States, 232 U.S. 383 at page 398, where it was held that the "limitations" of the Fourth Amendment reach only "the Federal Government and its agencies."

The rule in the federal judiciary was clearly and briefly stated by Justice Cardozo -

"A Federal prosecutor may take no benefit from evidence collected through the trespass of a Federal officer. The

Mr. Tolson \_\_\_\_\_  
Mr. E. A. Tamm \_\_\_\_\_  
Mr. Clegg \_\_\_\_\_  
Mr. Glavin \_\_\_\_\_  
Mr. Ladd \_\_\_\_\_  
Mr. Nichols \_\_\_\_\_  
Mr. Rosen \_\_\_\_\_  
Mr. Tracy \_\_\_\_\_  
Mr. Carson \_\_\_\_\_  
Mr. Egan \_\_\_\_\_  
Mr. Gurnea \_\_\_\_\_  
Mr. Harbo \_\_\_\_\_  
Mr. Hendon \_\_\_\_\_  
Mr. Pennington \_\_\_\_\_  
Mr. Quinn Tamm \_\_\_\_\_  
Mr. Nease \_\_\_\_\_  
Miss Gandy \_\_\_\_\_

thought is that, in appropriating the results, he ratifies the means. *Esseege Co of China v U.S.*, 43 S. Ct 514, 262 U.S. 151, 156."

*People v Defore* 242 N.Y. 413, 150 N.E. 585.

One of the reasons for the rule was stated as follows -

".....it is a federal judicial policy not to allow agents and officers of the United States to break the law themselves and then use information so acquired to prosecute others."

*Shinyu Moro v United States*, 148 F (2d) 696.

#### B. Minnesota Rule

The rule in Minnesota is clearly and decisively settled that -

"The mere fact that evidence is improperly or illegally obtained does not render it inadmissible."

2 Dunnell, Digest and Supplement, Section 3239.

In *State ex rel Rockwell v State Board of Education*, (1942) 213 Minnesota 184, at page 194, 6 N.W. 2nd 251, the Minnesota Supreme Court spoke in terms of -

".....the well recognized legal principle that evidence is not rendered incompetent by the fact that it was wrongfully or illegally procured."

There has been no reversal of this view by the Minnesota Supreme Court.

The same rule was repeated in *State v Sauer* (June 16, 1944) 217 Minnesota 591 at page 593 where the court referred to *City of Mankato v Grabowski* 154 Minnesota 265, 191 N.W. 603, which "gives themle in this state as follows" -

".....the law is well settled in this state, by the decisions in *State v Stoffels*, 89 Minnesota 205, 94 N.W., 675; *State v Hoyle*, 98 Minnesota 254, 107 N.W. 1130; and *State v Rognes* 115 Minnesota 204, 132 N.W. 5, that liquor or other property, though forcibly seized, and even though unlawfully seized may be received in evidence."

As evidence of the fact that the Minnesota Courts have not adopted the contrary view of the federal judiciary, the Minnesota Supreme Court continued in the next sentence of *State v Sauer* (supra) -

"These cases were recently followed, after further consideration of the questions in view of adverse Federal decisions." (*State v*

Tolson \_\_\_\_\_  
L. A. Tamm \_\_\_\_\_  
Clegg \_\_\_\_\_  
Glavin \_\_\_\_\_  
Ladd \_\_\_\_\_  
Nichols \_\_\_\_\_  
Rosen \_\_\_\_\_  
Tracy \_\_\_\_\_  
Carson \_\_\_\_\_  
Egan \_\_\_\_\_  
Gurnea \_\_\_\_\_  
Harbo \_\_\_\_\_  
Hendon \_\_\_\_\_  
Pennington \_\_\_\_\_  
Quinn Tamm \_\_\_\_\_  
Nease \_\_\_\_\_  
Miss Gandy \_\_\_\_\_

Hesse 154, Minnesota 89, 191 N.W. 267) (1922).

The court in the Hesse case felt that, notwithstanding the contrary rule in force in the Federal Courts upon the same subject the well established Minnesota rule on the admissibility of illegally or wrongfully obtained evidence should stand. We see, therefore, that in 1944 the Minnesota Supreme Court reiterated the doctrine which was in effect in 1922 and refused to depart therefrom. Interestingly enough the Federal rule was relied upon by the appellant in the Hesse case in the hope of suppressing the evidence alleged to have been improperly and unlawfully obtained. The court specifically rejected the application of the Federal rule as to the non-admissibility of illegally obtained evidence.

Again in State v Pluth, (1923) 157, Minnesota 145 and State v Kassa (1936) the Federal rule was considered and rejected. In the Kassa case the court referred to the annotations in 24A MRL 411 et seq to show that "This seems to be the rule in most jurisdictions." Determined to adhere to its own state rule the court in the Kassa case said -

"We see no sound reason for disturbing the rule so long and so thoroughly established as that to which we have referred."  
(198 Minnesota at page 184)

In view of the fact that all these cases and many others were referred to by the court in 1944 in support of the decision in State v Sauer, there would seem to be no reason to doubt the nature of the rule now outstanding in Minnesota. None of the cases cited have been reversed, modified or amended by any subsequent decision of the Minnesota Supreme Court.

The Minnesota rule therefore stands, in spite of Federal rulings to the contrary -

"The mere fact that evidence is improperly or illegally obtained does not render it inadmissible."

2 Durnell, Digest and Supplement, Section 3239  
and the authorities cited.

## II. Federal Rule When Evidence is Obtained By Other Than Federal Officers

We have already seen that the exclusionary rule of the federal judiciary applies only to evidence illegally obtained by Federal officers, and the rule is applicable only in the federal judicial system. The rule does not exclude the admission in Federal Courts of such evidence when the same has been obtained by persons who are not Federal employees. The case of Weeks v United States 232 U.S. 383, which restricted Federal agencies meantime assured the admissibility in Federal Courts of evidence obtained by state officials regardless of the means employed. In that case it was held that where a policeman makes an unauthorized seizure the Fourth Amendment is not applicable where he does not act under any claim of Federal authority. Said the

Mr. Tolson \_\_\_\_\_  
Mr. E. A. Tamm \_\_\_\_\_  
Mr. Clegg \_\_\_\_\_  
Mr. Glavin \_\_\_\_\_  
Mr. Ladd \_\_\_\_\_  
Mr. Nichols \_\_\_\_\_  
Mr. Rosen \_\_\_\_\_  
Mr. Tracy \_\_\_\_\_  
Mr. Carson \_\_\_\_\_  
Mr. Egan \_\_\_\_\_  
Mr. Gurnea \_\_\_\_\_  
Mr. Harbo \_\_\_\_\_  
Mr. Hendon \_\_\_\_\_  
Mr. Pennington \_\_\_\_\_  
Mr. Quinn Tamm \_\_\_\_\_  
Mr. Nease \_\_\_\_\_  
Miss Gandy \_\_\_\_\_

court -

".....the Fourth Amendment is not directed to individual misconduct of such officials. Its limitations reach the Federal Government and its agencies."

In *People v Defore*, 242 N.Y. 413, 150 N.E. 585, Justice Cardozo in showing the limitations of the Federal rule upon Federal officials pointed out that the Federal prosecutor "does not have to be so scrupulous about evidence brought to him by others." He showed that Federal officers are on one side of the line which the Federal courts have drawn while "police in the service of the states (are) on the other." On the one hand the wrongfully obtained evidence of Federal agencies is inadmissible in Federal Court while

"The Nation may keep what the servants of the State supply."

*Weeks v United States* 232 U.S. 383  
*Schroeder v United States*, 7 F (2d) 60  
*United States v One Ford Coupe* 3 F (2d) 64

There is a long list of Federal decisions to the effect that evidence obtained through an illegal search and seizure by state officers does not render it inadmissible in a Federal Court. Several follow -

*Landwirth v United States*, 299 F 281  
*Kanellos v United States*, 282 F 461  
*Epstein v United States*, 284 U.S. 567  
*Thomas v United States*, 290 F 133  
*Rowan v United States*, 281 F 137  
*Riggs v United States*, 299 F 273  
*In re Schmetze*, 299 F 827

It has been held that the legality of a search and seizure by police officers will not be inquired into by a Federal Court.

*Munn v United States*, 4 F (2d) 380

Where local officers in the course of a search and seizure act independently of the Federal officers, the evidence though illegally procured is not inadmissible.

*Bruce v United States*, 73 F (2d) 972

Even though the search and seizure by state officers were illegal the government could accept the evidence so obtained in a Federal prosecution.

*Burkis v United States*, 60 F (2d) 452

Mr. Tolson \_\_\_\_\_  
Mr. E. A. Tamm \_\_\_\_\_  
Mr. Clegg \_\_\_\_\_  
Mr. Glavin \_\_\_\_\_  
Mr. Ladd \_\_\_\_\_  
Mr. Nichols \_\_\_\_\_  
Mr. Rosen \_\_\_\_\_  
Mr. Tracy \_\_\_\_\_  
Mr. Carson \_\_\_\_\_  
Mr. Egan \_\_\_\_\_  
Mr. Gurnea \_\_\_\_\_  
Mr. Harbo \_\_\_\_\_  
Mr. Hendon \_\_\_\_\_  
Mr. Pennington \_\_\_\_\_  
Mr. Quinn Tamm \_\_\_\_\_  
Mr. Nease \_\_\_\_\_  
Miss Gandy \_\_\_\_\_

Though the police had no search warrant the evidence was held to be admissible in a Federal Court.

Greenberg v United States, 7 F (2d) 65.

It has been held proper to use evidence of local police provided Federal agents were not consulted or informed of the raid until its completion.

McShann v United States, 67 F (2d) 655  
Edmon v United States, 87 F (2d) 13

Evidence wrongfully secured by persons other than Federal officers was held to be admissible in a Federal prosecution.

Miller v United States, 50 F (2d) 505  
Piazza v United States, 99 F (2d) 1071

Evidence secured by state officers acting entirely on their own account will not ordinarily be excluded in Federal Court, although obtained in the course of a search which would have violated the Federal Constitution if conducted by Federal officers.

Sutherland v United States, 92 F (2d) 305.

Evidence obtained by state officers acting entirely on their own account in the enforcement of state laws, though obtained unlawfully, is admissible in a Federal Court.

United States v Myers, 46 F (2d) 317.

Countless other cases could be added to this list but it is believed that this group of cases is representative of the solution of the problem involved.

### III. Nonadmissibility of Evidence Obtained By Other Than Federal Officers

The exception to the Federal rule which has been noted above is not without its limitations. Where Federal officers are, in any way, involved in such a search by state officers the Federal rule becomes applicable in prosecutions under Federal laws in the Federal Courts. The following cases will serve to demonstrate this proposition. -

Evidence obtained by state officers by illegal search solely to aid in prosecution of Federal offense must be excluded in a Federal Court.

Hall v United States, 41 F (2d) 54  
Aldridge v United States, 67F (2d) 956.

When the search and seizure is a joint enterprise with Federal Agents the Federal laws govern the search.

Crank v United States, 61 F (2d) 981.

Mr. Tolson \_\_\_\_\_  
Mr. E. A. Tamm \_\_\_\_\_  
Mr. Clegg \_\_\_\_\_  
Mr. Glavin \_\_\_\_\_  
Mr. Ladd \_\_\_\_\_  
Mr. Nichols \_\_\_\_\_  
Mr. Rosen \_\_\_\_\_  
Mr. Tracy \_\_\_\_\_  
Mr. Carson \_\_\_\_\_  
Mr. Egan \_\_\_\_\_  
Mr. Gurnea \_\_\_\_\_  
Mr. Harbo \_\_\_\_\_  
Mr. Hendon \_\_\_\_\_  
Mr. Pennington \_\_\_\_\_  
Mr. Quinn Tamm \_\_\_\_\_  
Mr. Nease \_\_\_\_\_  
Miss Gandy \_\_\_\_\_

A search and seizure made by state officers for Federal officers into whose custody the defendant was to be given, was treated, with respect to the admissibility of the evidence obtained, as if the Federal officers were actually present making, or assisting in making, the search and seizure, notwithstanding that Federal officers did not know that seizure was to be made on that particular day.

Ward v United States, 96 F (2d) 189.

In a liquor prosecution, the evidence was held to establish that Federal officers ratified the unlawful search and seizure by state officers, and hence the evidence was inadmissible.

Fowler v United States, 62 F (2d) 656.

The Federal government may avail itself of evidence procured by state officers through illegal search and seizure provided no Federal officers or agents have participated therein.

In re Milburne, 77 F (2d) 310.

Where illegally obtained evidence of police is used the defendant is entitled to develop at the trial that Federal agents inspired the raid.

United States v Moe Liss, 105 F (2d) 144.

Federal agents will not be permitted to procure search by state officers to secure evidence for prosecution in Federal Court which they could not themselves lawfully secure.

Sloane v United States, 47 F (2d) 889.

Where evidence is obtained illegally by state officers without instigation or arrangement with Federal officers it is admissible in a Federal Court.

Brown v United States, 12 F (2d) 926.

Evidence secured through wrongful search and seizure by state officers in the presence of or in cooperation with Federal officers is not competent in a Federal Court."

Miller v United States, 50 F (2d) 505  
Piazza v United States, 59 F (2d) 1071

Where the unlawful search, seizure and arrest are made solely on behalf of the Federal government, evidence so obtained is not admissible in a Federal Court.

Miller v United States, 50 F (2d) 505.  
Piazza v United States, 59 F (2d) 1071

Mr. Tolson \_\_\_\_\_  
Mr. E. A. Tamm \_\_\_\_\_  
Mr. Clegg \_\_\_\_\_  
Mr. Glavin \_\_\_\_\_  
Mr. Ladd \_\_\_\_\_  
Mr. Nichols \_\_\_\_\_  
Mr. Rosen \_\_\_\_\_  
Mr. Tracy \_\_\_\_\_  
Mr. Carson \_\_\_\_\_  
Mr. Egan \_\_\_\_\_  
Mr. Gurnea \_\_\_\_\_  
Mr. Harbo \_\_\_\_\_  
Mr. Hendon \_\_\_\_\_  
Mr. Pennington \_\_\_\_\_  
Mr. Quinn Tamm \_\_\_\_\_  
Mr. Nease \_\_\_\_\_  
Miss Gandy \_\_\_\_\_

Where Federal officers in an understanding with state officers adopt a prosecution which was originated by state officers as a result of a search made by them, the same rule relating to the admissibility of such evidence should be applied as if the Federal officers had made or directed the search.

*Sutherland v United States*, 92 F (2d) 305.

The evidence is not admissible where state and federal officers jointly make a search under a state warrant which does not comply with Federal requirements.

*Thompson v United States*, 22 F (2d) 134.

Where local officers act at the direction of Federal officers the evidence is not admissible if obtained wrongfully.

*United States v Falloco*, 277 F 75.

State police, who act under an arrangement with, and in aid of Federal officers, become agents of the United States Government, and subject to the Federal constitution and laws governing the right of search and seizure, and evidence secured through a search by them without a warrant may not be used in a Federal prosecution, though the search was authorized for different purposes by a local statute or ordinance.

*In re Schnetze*, 299 F 827.

Where a Federal agent participated in a search made by state officers under a search warrant lawful under the state law, but which did not conform to the requirements of the Federal law, the search, though directed by the state officers, was unlawful under the Federal law, and evidence obtained thereby is not admissible against the owner of the premises in a Federal Court.

*United States v Case*, 286 F 627.

In 1942 arose the case of *Lowrey v United States*, 128 F (2d) 477, involving an alleged violation of the revenue laws. The evidence was entirely obtained by state officers under an invalid search warrant. Although there was no agreement among state and Federal officials it was the general practice that in cases of sufficient importance prosecution would be tendered to Federal officers. The court held that in view of this general practice the evidence is inadmissible because it was obtained by an illegal search and seizure in violation of the Fourth Amendment.

#### IV. Admissibility of Evidence Procured by Wiretapping, and Microphone Surveillance:

##### A. Federal Rule

In 1934, there was enacted the Federal Communications Act, Title 47 U.S.C.A., the most frequently quoted portion of which is Section 605 to the effect that -

16

Mr. Tolson \_\_\_\_\_  
 Mr. E. A. Tamm \_\_\_\_\_  
 Mr. Clegg \_\_\_\_\_  
 Mr. Glavin \_\_\_\_\_  
 Mr. Ladd \_\_\_\_\_  
 Mr. Nichols \_\_\_\_\_  
 Mr. Rosen \_\_\_\_\_  
 Mr. Tracy \_\_\_\_\_  
 Mr. Carson \_\_\_\_\_  
 Mr. Egan \_\_\_\_\_  
 Mr. Gurnea \_\_\_\_\_  
 Mr. Harbo \_\_\_\_\_  
 Mr. Hendon \_\_\_\_\_  
 Mr. Jones \_\_\_\_\_  
 Mr. Quinn Tamm \_\_\_\_\_  
 Mr. Nease \_\_\_\_\_  
 Mr. Gandy \_\_\_\_\_

".....no person not being authorized by the sender shall intercept any communication and divulge or publish the existence, contents, substance, purport, effect, or meaning of such intercepted communication to any person....."

This is the section which bears most directly on the work of the law enforcement officer and the prosecutor..

The law on the subject was not clearly settled until 1937, though the application of this portion of the Act had been before the courts on several occasions.

On December 20, 1937, the Supreme Court of the United States decided the case of Nardone v United States, 82 L. Ed. 314. The question was raised whether evidence procured by Federal officers tapping telephone wires and intercepting messages is admissible in a criminal trial in a United States District Court. The government contended that Congress did not intend to prohibit tapping wires to procure evidence. The court felt, however, that "the plain words of Section 605 forbid anyone, unless authorized by the sender, to intercept a telephone message, and directed in equally clear language that 'no person' shall divulge or publish the message or its substance to 'any person'. To recite the contents of the message in court is to divulge the message."

It should be borne in mind that this is a Federal rule for Federal Courts.

In 1938 the case of United States v Flinn came on for hearing in the District Court for the District of Columbia. (22 Federal Supplement 242) This case involved a violation of the law relating to gambling in the District of Columbia. Search warrants were issued based on evidence obtained by police by tapping wires and intercepting messages passing within the District of Columbia. A motion was made to quash the search warrants and suppress the evidence obtained thereby because the warrants had been issued upon evidence obtained by wiretapping. The case of Nardone v United States, seen above, was cited by the court in support of the view that that type of evidence is not admissible in a Federal Court. The government contended that all calls in the Nardone Case were interstate in character, and that the decision should be confined to interstate matters. The court held that the Nardone Case ".....accepts the broad language of this provision (Section 605) as direction to exclude evidence obtained through interception of telephone messages by wire-tapping...." The court further held that the ethical considerations that support the policy of excluding intercepted interstate messages in the District of Columbia would seem to apply with equal force to intercepted local messages.

In 1938 the case of Sablowsky v United States, 101 F (2d) 183 was heard. This case involved tax evasion on distilled spirits. Government agents intercepted intrastate communications between parties to the conspiracy.

Mr. Tolson \_\_\_\_\_  
Mr. A. A. Tamm \_\_\_\_\_  
Mr. Clegg \_\_\_\_\_  
Mr. Glavin \_\_\_\_\_  
Mr. Ladd \_\_\_\_\_  
Mr. Nichols \_\_\_\_\_  
Mr. Rosen \_\_\_\_\_  
Mr. Tracy \_\_\_\_\_  
Mr. Carson \_\_\_\_\_  
Mr. Egan \_\_\_\_\_  
Mr. Gurnea \_\_\_\_\_  
Mr. Harbo \_\_\_\_\_  
Mr. Hendon \_\_\_\_\_  
Mr. Pennington \_\_\_\_\_  
Mr. Quinn Tamm \_\_\_\_\_  
Mr. Nease \_\_\_\_\_  
Miss Gandy \_\_\_\_\_

The agents recorded about 1600 such messages. About 500 of these intrastate communications were introduced in evidence during the trial. The Government contended that these messages were introducable because they were intrastate in character, urging further that the Federal Communications Act applied only to interstate and foreign communications. The Third Circuit Court of Appeals hearing the case felt that the second and fourth clauses of Section 605 of the Act relate to all persons

".....and therefore constitute a rule of evidence in the purest sense. Congress must be deemed to have exercised its power within constitutional limitations. It possesses power to provide that Federal officers may not divulge intercepted intrastate wire communications in a district court of the United States. Such a construction limits the broad language of Section 605 in a manner consistent with the constitutional power of Congress. We therefore may conclude that such was the intention of Congress."

Further -

"We hold therefore that Congress in enacting the rule of evidence embodied in Section 605 intended to provide and did in fact provide that evidence of intrastate communications procured by Federal agents by tapping telephone wires is inadmissible in a district court of the United States."

Weiss v United States, 84 L.Ed., 298, was heard by the United States Supreme Court in the same year. It carried to the highest court much the same problem as that raised in the case of Sablowsky v United States which has been noted above. Weiss v United States involved the use of the mails to defraud. There were several defendants. Recordings and transcriptions were made of intercepted intrastate communications. The court felt that the interdiction of Section 605

".....is not limited to interstate and foreign communications. And, as Congress has power when necessary for the protection of interstate commerce, to regulate intrastate transactions, there is no constitutional requirement that the scope of the statute be limited so as to exclude intrastate communications."

Since one or both of the parties to each of the communications attested to the communication, the government contended that the disclosure of the intercepted communication was "authorized by the sender" within the meaning of the clause of Section 605. To this the court said -

"The Act contemplates voluntary consent and not enforced agreement to publication. The participants were ignorant of the interception of the messages and did not consent thereto."

The second case of Wardone v United States, 308 U.S. 338, 60 Supreme Court, 266, 84 L.Ed., 307 was heard in 1939. There it was held that the Federal Communications Act

"....proscribes the use of evidence secured as a derivative

Mr. Tolson \_\_\_\_\_  
Mr. E. A. Tamm \_\_\_\_\_  
Mr. Clegg \_\_\_\_\_  
Mr. Glavin \_\_\_\_\_  
Mr. Ladd \_\_\_\_\_  
Mr. Nichols \_\_\_\_\_  
Mr. Rosen \_\_\_\_\_  
Mr. Tracy \_\_\_\_\_  
Mr. Carson \_\_\_\_\_  
Mr. Egan \_\_\_\_\_  
Mr. Gurnea \_\_\_\_\_  
Mr. Harbo \_\_\_\_\_  
Mr. Hendon \_\_\_\_\_  
Mr. Pennington \_\_\_\_\_  
Mr. Quinn Tamm \_\_\_\_\_  
Mr. Nease \_\_\_\_\_  
Miss Gandy \_\_\_\_\_

18

of the illegally intercepted message as well as the original message itself, and that 'the trial judge must give opportunity, however closely confined, to the accused to prove that a substantial portion of the case against him was a fruit of the poisonous tree'".

25 Minnesota Law Review, 384 (1941).

This decision means therefore that a defendant can inquire into the use to which the Government has put the information secured from tapped telephone lines, in an effort to prove that the case against him was based on evidence procured as a result of wiretapping, it having been held that Section 605 not only prohibits the talk overheard but also evidence to which the government had been led thereby.

53 Harvard Law Review 866.

In 1940 the case of United States v Polakoff, 112 F (2d) 888 was heard. This case involved a conspiracy to obstruct justice. A tap in the usual sense was not used. The recording machine was fixed to an existing extension of the familiar kind in an adjoining room. Kafton, one of the accused, cooperating with government agents, using a phone to which the extension and recording machine were attached, called the other accused persons. The messages were recorded. The government made two contentions -

- (1) that Kafton was the "sender" and within the Act gave his consent, and further
- (2) that the messages were not "intercepted" within the meaning of the Act.

The court held -

"We assume that the situation would have been no different, had the agent merely listened at the extension and taken down what he heard by shorthand."

continuing

".....anyone intercepts a message to whose intervention as a listener the communicants do not consent; the means he employs can have no importance, it is the breach of privacy that counts."

The court in this instance laid down this very significant rule that both parties to a phone conversation must consent to the interception of any part of the talk.

The case of Goldstein v United States came before the Supreme Court in 1942, 86 L.Ed., 1312. It presents an interesting development in

Mr. Tolson \_\_\_\_\_  
Mr. E. A. Tamm \_\_\_\_\_  
Mr. Clegg \_\_\_\_\_  
Mr. Glavin \_\_\_\_\_  
Mr. Ladd \_\_\_\_\_  
Mr. Nichols \_\_\_\_\_  
Mr. Rosen \_\_\_\_\_  
Mr. Tracy \_\_\_\_\_  
Mr. Carson \_\_\_\_\_  
Mr. Egan \_\_\_\_\_  
Mr. Gurnea \_\_\_\_\_  
Mr. Harbo \_\_\_\_\_  
Mr. Hendon \_\_\_\_\_  
Mr. Pennington \_\_\_\_\_  
Mr. Quinn Tamm \_\_\_\_\_  
Mr. Nease \_\_\_\_\_  
Miss Gandy \_\_\_\_\_

the Federal law regarding the admissibility of evidence obtained by virtue of a telephone tap. This case involved a mail fraud. There were several defendants. Telephone calls were intercepted. The contents of intercepted phone messages were divulged to two of the defendants, thus inducing them to testify against other defendants. During the trial the witnesses (defendants) did not testify to the existence or contents of the intercepted messages. And, of great importance also is the fact that none of the defendants appealing was a party to the communications which had been tapped, and which had been used in obtaining the evidence in this case. The petitioning defendants contended that though they were not parties to the communications they yet have a right to object to the use of the same.

The court held to the contrary, stating that the courts have

"denied standing to one not the victim of an unconstitutional search and seizure to object to the introduction in evidence of that which was seized." ".....the same rule should apply to the introduction of evidence induced by the use or disclosure thereof to a witness other than the victim of the seizure."

The petitioners further contended that the law prohibits the use of information contained in unlawfully intercepted messages; that the government agents violated the Act by using the messages to induce confession and testimony; that such is forbidden and therefore petitioners have standing to object to use of the evidence thus obtained.

The court disagreed with this contention, holding that though the use made of the messages were held a violation of the Statute, this would not render the testimony so procured inadmissible against a person not a party to the messages. This is the settled common law rule. In support of this view the court cited *Olmstead v United States*, 72 L.Ed., 944.

As was observed by the Supreme Court of California in *People v Kelley* (May 3, 1943) 137 P (2d), 1 -

"Therefore, although the prosecuting officers violated the statute in using the messages to testify, the testimony was admissible against one not a party to the intercepted communication."

Such are the rules in the Federal Courts on the subject of wire-tapping at this time.

## B. Minnesota Rule

### (1) Microphone Surveillances

A matter not directly connected with wiretapping but of considerable interest to law enforcement officers is the question of the admissibility of information obtained by a microphone surveillance. The case of *State v Minneapolis Milk Co.* (1913) 124 Minn 34 will prove helpful in showing the rule adopted in Minnesota. In that case the defendants were charged with having formed a combination in restraint of trade. The following was stated by the

Mr. Tolson \_\_\_\_\_  
Mr. E. A. Tamm \_\_\_\_\_  
Mr. Clegg \_\_\_\_\_  
Mr. Glavin \_\_\_\_\_  
Mr. Ladd \_\_\_\_\_  
Mr. Nichols \_\_\_\_\_  
Mr. Rosen \_\_\_\_\_  
Mr. Tracy \_\_\_\_\_  
Mr. Carson \_\_\_\_\_  
Mr. Egan \_\_\_\_\_  
Mr. Gurnea \_\_\_\_\_  
Mr. Harbo \_\_\_\_\_  
Mr. Hendon \_\_\_\_\_  
Mr. Pennington \_\_\_\_\_  
Mr. Quinn Tamm \_\_\_\_\_  
Mr. Nease \_\_\_\_\_  
Miss Gandy \_\_\_\_\_

20

Supreme Court -

"The detectives were informed that the dealers were to hold a meeting at a certain place on the afternoon of September 29, 1912. Prior to the meeting the detectives gained entrance to the room in which it was to be held and installed therein a dictograph, properly connected by wires with a receiver placed in a closet adjoining the meeting room. The detectives concealed themselves in the closet and remained there during the meeting and subsequently reported the information gained by them. One of the detectives was a stenographer and made shorthand notes of things heard over the dictograph, while the other detective listened at the door leading from the closet to the meeting room. Both were produced as witnesses on the trial below; the stenographer testified to the contents of the notes made by him in the manner stated, from which the jury was justified in finding that the meeting was one called and held by the members thereof for the purpose of entering into an agreement to raise the price of milk and cream, and incidentally to form a milk dealers' association; the testimony of the witness was corroborated by the other detective who overheard what took place and what was said by the members of the gathering by listening at the door leading into the room. The stenographer's original notes were received in evidence, and several erasures and interlineations appear to have been made therein. These the witness fully explained, and the verity of his explanation was for the jury."

The same rule is applied in the Federal Courts as is demonstrated by the case of *Goldman v United States* (1942) 86 L.Ed. 1322. It was held that such acts do not constitute a violation of Section 605 of Title 47, U.S.C.A.

"since there was neither a communication nor an interception within the meaning of the Act. The protection intended and afforded by the statute is of the means of communication and not of the secrecy of the conversation. Words spoken in a room in the presence of another into a telephone receiver do not constitute a communication by wire within the meaning of the Section."

(2) Wiretapping

It does not appear that the Federal Communications Act of 1934 has affected the rules of evidence applicable in the Minnesota Courts. In fact no case was found which showed that the Minnesota Supreme Court has yet passed upon the subject. The case of *State v Raasch* (1937), 201, Minn 158, sustained the lower court in admitting evidence secured by wiretapping.

The Raasch case involved malfeasance of a police officer. A telephone line was tapped by what the court called "pamograph operators". The pamograph was so arranged that a signal was given the operator whenever a telephone call was put through by the defendant. The operator of the

Mr. Tolson \_\_\_\_\_  
Mr. E. A. Tamm \_\_\_\_\_  
Mr. Clegg \_\_\_\_\_  
Mr. Glavin \_\_\_\_\_  
Mr. Ladd \_\_\_\_\_  
Mr. Nichols \_\_\_\_\_  
Mr. Rosen \_\_\_\_\_  
Mr. Tracy \_\_\_\_\_  
Mr. Carson \_\_\_\_\_  
Mr. Egan \_\_\_\_\_  
Mr. Gurnea \_\_\_\_\_  
Mr. Harbo \_\_\_\_\_  
Mr. Hendon \_\_\_\_\_  
Mr. Pennington \_\_\_\_\_  
Mr. Quinn Tamm \_\_\_\_\_  
Mr. Nease \_\_\_\_\_  
Miss Gandy \_\_\_\_\_

pamograph could then immediately commence the recording of the conversation which took place over the telephone wires and to which the operator listened while the conversation was being recorded. He could also listen without recording the conversation if it appeared to be wholly immaterial to the purpose for which the wire was tapped. The pamograph records were introduced. The recorded conversations were transcribed in typewritten form and were used to follow the conversation as they were reproduced by the pamograph in court. The pamograph was equipped with a sufficient number of headsets so that the jury, court, and counsel could listen to the record while the conversations were being reproduced. The typewritten transcripts were not introduced but were used as memoranda to refresh the memory of the witnesses who had heard the conversations that were recorded.

No objections were raised on appeal on constitutional or statutory grounds. The findings of the lower court were sustained. The Federal Communications Act was not raised in defense, nor was it raised by the court on appeal.

### C. Rule in Other States

In view of the paucity of cases on this subject in the Minnesota courts it was thought that a reference to decisions in other jurisdictions might prove of some value. The case of Rowan v State, 3 A (2d), 753, is much referred to, and was a decision of the Supreme Court of Maryland in 1939. This case also affected the admissibility of information gained from tapped telephones. The theory of the defense as to the inadmissibility of information secured by virtue of a telephone tap was

"...based upon the assumption that the Federal Communications Act (U.S.C.A. Title 47, Section 605) affects the admissibility of evidence thus obtained in state courts."

The court answered -

"...it is not understood that the Federal Communications Act was intended to or does limit the power of state courts to determine in cases tried therein the admissibility of evidence so obtained. The case of Olmstead v United States quoting from the opinion of United States v Reid, 12 How 361, 13 L.Ed., 1023, supports that view."

Another case of interest is that of Hitzelberger v State, 174 Maryland 152, decided in January 1938. In this case the wires of a telephone of a police officer were tapped by a Federal agent. The police officer was charged with malfeasance in office. The tapped communications were introduced in evidence, and the question on appeal was whether evidence of that character was admissible. The court held -

"As far as this court is concerned.....the question is one of first impression. The common law rule is that the admissibility of evidence is not affected by the illegality of the means by which it was obtained."

Mr. Tolson \_\_\_\_\_  
Mr. E. A. Tamm \_\_\_\_\_  
Mr. Clegg \_\_\_\_\_  
Mr. Glavin \_\_\_\_\_  
Mr. Ladd \_\_\_\_\_  
Mr. Nichols \_\_\_\_\_  
Mr. Rosen \_\_\_\_\_  
Mr. Tracy \_\_\_\_\_  
Mr. Carson \_\_\_\_\_  
Mr. Egan \_\_\_\_\_  
Mr. Gurnea \_\_\_\_\_  
Mr. Harbo \_\_\_\_\_  
Mr. Hendon \_\_\_\_\_  
Mr. Pennington \_\_\_\_\_  
Mr. Quinn Tamm \_\_\_\_\_  
Tele. Room \_\_\_\_\_  
Mr. Nease \_\_\_\_\_  
Miss Beahm \_\_\_\_\_  
Miss Gandy \_\_\_\_\_

The court thereupon held that the Federal Communications Act did not apply since it pertained to interstate and foreign commerce only.

Another case which may prove helpful is that of *People v McDonald*, 177 App Div Reports, Supreme Court, N.Y. 806 (2nd Dept), decided in 1917. This case involved unlawful gambling. Officers tapped the telephone wires of the defendants. It was contended that such evidence was not admissible because it was procured illegally. The court held it was not necessary to decide whether such acts were prohibited by Section 1423 of the laws of New York which forbids "unlawfully and wilfully" tapping telephone wires,

"...the doctrine of *People v Adams*, 176 N.Y. 351) is applicable to such a case as well as to the use of papers and documents."

In that case evidence was held to be material without inquiry as to whether it was seized in violation of law. In instant case, *People v McDonald* the court continued concerning tapped telephones -

"...no collateral inquiry as to whether they were legally or illegally secured will be permitted to interrupt and disorganize the trial."

The court specifically pointed out that the contrary rule of admissibility of evidence in the Federal Courts does not apply in New York.

Said the court -

"The Fourth Amendment to the Federal Constitution which prohibited illegal seizures, does not apply to the States. Its full function is to limit the powers of the general government."

Another case cited as authority is that of *In The Matter Of Richard Davis*, 252 App. Div. Reports, Supreme Court, New York 591 (1st Dept) November 5, 1937. This case involved the disbarment of an attorney who was allegedly involved in the "Numbers Racket." His telephone wires were tapped by police and Federal agents in connection with efforts to apprehend the famed fugitive Dutch Schultz. There was no original intent to involve the attorney in the "Numbers Racket." The information gained through tapping the telephone was used in the lower court, and the question of its admissibility arose on appeal. The court said -

"It is the law of this state, however, that evidence obtained by means of tapped wires is admissible (*People v McDonald*, supra.) In *People v Defore* (242 N.Y., 413) the Court of Appeals in an opinion by Judge Cardozo, held that the fact that evidence had been illegally obtained did not affect its admissibility."

One authority on the subject has put it in the following language -

"Since the limitations of the Fifth Amendment were not imposed upon the states by the Fourteenth (*Twining v New Jersey*, 211 U.S. 78) there has been little doubt as to the constitutionality of admitting evidence obtained by wiretapping in state courts. Although a majority of the states have statutes prohibiting wiretapping the

Mr. Tolson \_\_\_\_\_  
Mr. E. A. Tamm \_\_\_\_\_  
Mr. Clegg \_\_\_\_\_  
Mr. Glavin \_\_\_\_\_  
Mr. Ladd \_\_\_\_\_  
Mr. Nichols \_\_\_\_\_  
Mr. Rosen \_\_\_\_\_  
Mr. Tracy \_\_\_\_\_  
Mr. Carson \_\_\_\_\_  
Mr. Egan \_\_\_\_\_  
Mr. Gurnea \_\_\_\_\_  
Mr. Harbo \_\_\_\_\_  
Mr. Hendon \_\_\_\_\_  
Mr. Pennington \_\_\_\_\_  
Mr. Quinn Tamm \_\_\_\_\_  
Tele. Room \_\_\_\_\_  
Mr. Nease \_\_\_\_\_  
Miss Beahm \_\_\_\_\_  
Miss Gandy \_\_\_\_\_

few cases in which evidence thereby obtained has been challenged have held the evidence admissible."

53 Harvard Law Review at pages 868 and 869.

The State of California has a line of decisions directly in point which clearly analyze the law and pointedly draw the distinguishing features of the Federal and the State rule on the subject of wiretapping as affected by either the case of Weeks v United States or the Federal Communications Act.

The case of People v Kelley is the most outstanding and the one which has been followed. This case was decided in February, 1942, 122 P (2d) 655. From the facts it would appear that an apartment was illegally used for negotiating bets on horse races. Police officers entered the apartment and, in answering the telephones collected evidence of the true character of the enterprise being conducted. This evidence was admitted by the lower court. On appeal the defendant contended that the admission of this kind of evidence violated the Federal Communications Act of 1934.

The court held that the Act does not have "the sanctity of a constitutional provision." The court continued -

"Even though the Act of Congress is valid within the orbit of the activities of that department of the government, the operation of the statute can effect only those subjects over which the central government has jurisdiction. Section 605 was intended for the activities of officials and courts of the Federal government and for no others. In matters involving solely procedure, state courts are not affected by acts of Congress. Subject only to the limitations of the Federal constitution, the state may establish its own procedure."

"...the state may regulate its own court procedure in accordance with the genius of its own laws and institutions so long as it does not offend some vital principle, the protection and operation of which has been made a part of the organic law of the union."

The decisions of the United States Supreme Court in Weiss v United States, 308 U. S. 321, and Kardone v United States, 302 U.S. 379 were rejected by the court as applicable to the states with the following -

"Merely because it was by those decisions held that under Section 605 intrastate messages may not be divulged in a Federal Court they are not for that reason authority for controlling procedure in a State Court."

"In the absence of a specific grant in the Federal Constitution, it cannot be said that it was the intention of the framers of that instrument to confer upon the Central Government the power to prescribe rules of evidence for the courts of the several states."

Mr. Tolson \_\_\_\_\_  
Mr. E. A. Tamm \_\_\_\_\_  
Mr. Clegg \_\_\_\_\_  
Mr. Glavin \_\_\_\_\_  
Mr. Ladd \_\_\_\_\_  
Mr. Nichols \_\_\_\_\_  
Mr. Rosen \_\_\_\_\_  
Mr. Tracy \_\_\_\_\_  
Mr. Carson \_\_\_\_\_  
Mr. Egan \_\_\_\_\_  
Mr. Gurnea \_\_\_\_\_  
Mr. Harbo \_\_\_\_\_  
Mr. Hendon \_\_\_\_\_  
Mr. Pennington \_\_\_\_\_  
Mr. Quinn Tamm \_\_\_\_\_  
Tele. Room \_\_\_\_\_  
Mr. Nease \_\_\_\_\_  
Miss Beahm \_\_\_\_\_  
Miss Gandy \_\_\_\_\_

"Neither does Section 605 of the Federal Communications Act constitute a restraint upon the State Courts."

These views were followed by the California Supreme Court in  
People v Vertlieb (1943) 137 P (2d) 437  
People v Onoforio (1944) 151 P (2d) 158  
People v Barnhart (1944) 153 P (2d) 214

In the State of Minnesota the following interesting observation  
has been made -

".....it would seem that the end for which the courts have found it (Federal Communications Act) designed may fail of accomplishment in cases where the defendant's act is criminal under state as well as Federal law. Thus, if the Federal agents relay the evidence they had illegally garnered to state prosecuting authorities, that evidence would probably be admissible in state courts on the ground that it is in excess of constitutional authority for Congress to prescribe laws regulating the competence of evidence in state courts."

25 Minnesota Law Review 384.

Mr. Tolson \_\_\_\_\_  
Mr. E. A. Tamm \_\_\_\_\_  
Mr. Clegg \_\_\_\_\_  
Mr. Glavin \_\_\_\_\_  
Mr. Ladd \_\_\_\_\_  
Mr. Nichols \_\_\_\_\_  
Mr. Rosen \_\_\_\_\_  
Mr. Tracy \_\_\_\_\_  
Mr. Carson \_\_\_\_\_  
Mr. Egan \_\_\_\_\_  
Mr. Gurnea \_\_\_\_\_  
Mr. Harbo \_\_\_\_\_  
Mr. Hendon \_\_\_\_\_  
Mr. Pennington \_\_\_\_\_  
Mr. Quinn Tamm \_\_\_\_\_  
Mr. Nease \_\_\_\_\_  
Miss Gandy \_\_\_\_\_

# SHERIFF'S OFFICE

HENNEPIN COUNTY  
MINNEAPOLIS, MINN.

ED RYAN, SHERIFF  
LOYD W. SHAFER, CHIEF DEPT.  
H. T. WHITE, CHIEF CRIMINAL DIVISION

January 14, 1947

Honorable J. Edgar Hoover,  
Director,  
Federal Bureau of Investigation,  
Department of Justice Building,  
Washington, D. C.

Dear Mr. Hoover:

The bearer of this letter, Mr. Hubert H. Humphrey, Mayor of Minneapolis, and [REDACTED] are desirous of having an interview with you. They will be in Washington sometime this week, and any courtesies that you can extend these gentlemen will be greatly appreciated. b7c

With kindest personal regards, I remain,

Yours sincerely,

ER:ms

[REDACTED]  
ED RYAN, SHERIFF  
HENNEPIN COUNTY

RECORDED

62-77485-4

8-4

ack. & memo  
Illinois Museum  
Jab. on 1-28-47  
b7c

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 6-1-82 BY 4855 SR/ajp

[REDACTED]

26

February 14, 1947

Honorable Hubert H. Humphrey  
Mayor  
Minneapolis, Minnesota

My dear Mayor:

RECORDED

In keeping with your request during my recent conversation with you we have conducted some research concerning the admissibility of certain types of information as evidence. You specifically desired information concerning the problem which arises largely out of the obtaining of evidence by the tapping of telephone wires and improper searches and seizures.

In a field so broad as this, with Federal and various State Judicial Systems each establishing their own rules on the subject, it is impossible to provide a precise rule which will satisfactorily supply you with the desired information. Consequently the research work has related to the Federal rule as well as that which obtains in the State of Minnesota. I believe you will find the law is fairly clearly established in your state on the two questions posed above.

With a view to meeting your needs there is attached a memorandum relating to this study, reference being made particularly to the recent and leading cases of the appellate courts. It is hoped that this analysis will be found helpful.

I wanted you to know that I sincerely enjoyed my visit with you and [redacted]. Should you come to Washington at any future date I hope you will drop by to see us.

Sincerely yours,

J. Edgar Hoover

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 6-1-82 BY [redacted]

Mr. Tolson  
Mr. E. A. Tamm  
Mr. Clegg  
Mr. Glavin  
Mr. Ladd  
Mr. Nichols  
Mr. Rosen  
Mr. Tracy  
Mr. Carson  
Mr. Egan  
Mr. Gurnea  
Mr. Harbo  
Mr. Hendon  
Mr. Pennington  
Mr. Quinn Tamm  
Tele. Room  
Mr. Nease  
Miss Gandy

COMMUNICATIONS SECTION  
Attachment  
MAILED 5  
FEB 19 1947 P.M.  
cc - SAC, St. Paul

FEDERAL BUREAU OF INVESTIGATION

60 MAR 30 1947

November 4, 1948

W  
①  
Honorable Hubert H. Humphrey  
Mayor  
Minneapolis, Minnesota

My dear Mayor:

I wish to extend to you my heartiest congratulations on your election to the United States Senate.

We of the FBI have enjoyed the contacts we have had with you from time to time and I hope that after your arrival in Washington, if at any time we can be of service to you, you will not hesitate to call upon us.

With best wishes and kind regards,

Sincerely yours,

(s) J. Edgar Hoover  
Mailed by the Director

Mayor Humphrey has been in contact with the Bureau from time to time. I have had several conferences with him personally. He has always appeared to be most cordial.

Mr. Tolson  
Mr. E. A. Tamm  
Mr. Clegg  
Mr. Glavin  
Mr. Ladd  
Mr. Nichols  
Mr. Rosen  
Mr. Tracy  
Mr. Egan  
Mr. Gurnea  
Mr. Harbo  
Mr. Mohr  
Mr. Pennington  
Mr. Quinn Tamm  
Tele. Room  
Mr. Nease

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED

DATE 1-8-82 BY 7858 SRT/CLM

RECORDED - 118

6 NOV 9 1948

56 NOV 26 1948

62-77485-5

G.I.R.-7

28

UBERT H. HUMPHREY

Senator-Elect  
Minnesota

Minnesota Office:  
320 Midland Bank Building  
Minneapolis 1, Minnesota

December 8, 1948

Mr. Tolson	.....
Mr. Clegg	.....
Mr. Glavin	.....
Mr. Ladd	.....
Mr. Nichols	.....
Mr. Rosen	.....
Mr. Tracy	.....
Mr. Egan	.....
Mr. Gurnea	.....
Mr. Harbo	.....
Mr. Mohr	.....
Mr. Pennington	.....
Mr. Quinn Tamm	.....
Mr. Nease	.....
Miss Gandy	.....

Dear Mr. Hoover:

I was pleased and honored to receive your letter of congratulations of November 4, 1948.

I want you to know that you can look to me as a friend in the United States Senate. I have always been interested in the work of the Federal Bureau of Investigation and I am desirous of doing whatever I can to further your splendid program.

DEFERRED RECORDING

Sincerely yours,

*Hubert H. Humphrey*  
(Hubert H. Humphrey)

Mr. J. Edgar Hoover  
Federal Bureau of Investigation  
United States Department of Justice  
Washington 25, D. C.

RECORDED - 94

EX-100

6 DEC 28 1948

162-77485-6813  
F B I  
DEC 20 1948  
W

29

January 14, 1949

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED

DATE 6-1-82 BY 7858 SP/BJA

[REDACTED]  
c/o Senator Hubert H. Humphrey  
Senate Office Building  
Washington, D. C.

Dear [REDACTED]

Pursuant to your request it  
is a pleasure to enclose data of possible  
interest to the constituent of Senator  
Humphrey.

Sincerely yours,

J. Edgar Hoover

NOTE: [REDACTED] Office of  
Senator Humphrey called Mr. Nicholas on  
January 13 and requested data of possible interest  
to a student in connection with a social studies  
class. He requested it be sent to the Senator's  
office.  
Enclosure

UCR 19-1  
The Story  
Crime and Sunday School  
Crime Begins at Home  
The Crime Problem

RECORDED - 46 63-77485-7  
INDEXED 46 F B I  
JAN 24 1949

Mr. Tolson \_\_\_\_\_  
Mr. Clegg \_\_\_\_\_  
Mr. Glavin \_\_\_\_\_  
Mr. Ladd \_\_\_\_\_  
Mr. Nichols \_\_\_\_\_  
Mr. Rosen \_\_\_\_\_  
Mr. Tracy \_\_\_\_\_  
Mr. Egan \_\_\_\_\_  
Mr. Gurnea \_\_\_\_\_  
Mr. Harbo \_\_\_\_\_  
Mr. Mohr \_\_\_\_\_  
Mr. Pennington \_\_\_\_\_  
Mr. Quinn Tamm \_\_\_\_\_  
Tele. Room \_\_\_\_\_  
Mr. Nease \_\_\_\_\_  
Miss Gandy \_\_\_\_\_

COMMUNICATIONS SECTION  
MAILED 8  
JAN 17 1949 P.M.  
FEDERAL BUREAU OF INVESTIGATION  
U. S. DEPARTMENT OF JUSTICE

FEB 11 1949  
213

RECEIVED - DIRECTOR  
F B I  
JAN 17 9 53 A.M.  
U.S. DEPT. OF JUSTICE

RECEIVED  
F B I  
JAN 14 4 15 P.M.  
U.S. DEPT. OF JUSTICE

30

RECORDED - 116

62-77485-7X1

INDEXED - 116

SAC, Minneapolis

Director, FBI

SENATOR HUBERT HUMPHREY  
SECURITY MATTER - C  
Your file 77-1570

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED

October 18, 1950

DATE 6-1-82 BY 7858/sr/uyga

The Bureau is in receipt of a letter from [redacted], Minneapolis, Minnesota, dated October 8, 1950, concerning captioned individual, copies of which are attached. b7c

This letter is not being acknowledged by the Bureau in view of the nature of allegations contained therein.

You are instructed to interview the correspondent for all pertinent information in her possession unless a review of the indices of your office reflects information which would make this interview inadvisable and at this time orally acknowledge the receipt of her communication.

You are also instructed to interview [redacted] Minneapolis, Minnesota, for all pertinent information in her possession concerning the alleged Communist activities of Senator Hubert Humphrey unless a review of the indices of your office reflects information which would make this interview inadvisable. b7c

You are instructed to give this matter expeditious attention and submit the results of your interview to the Bureau within the near future.

Bureau files reflect no identifiable information concerning the correspondent or [redacted] b7c

Bureau files reflect that by letter dated October 19, 1949, from the Department of Labor, the Bureau was requested to conduct an investigation of Senator Hubert Humphrey under the provisions of Public Law 843, 80th Congress, inasmuch as Senator Humphrey was being considered as a delegate for the International Labor Organization convention to be held at Geneva, Switzerland, beginning November 22, 1949.

During the course of this investigation considerable derogatory disloyal information concerning the Senator was ascertained. In the main, it showed Senator Humphrey's close connection with known Communists and Communist infiltrated organizations in connection with his election as Mayor of Minneapolis in 1945. It appears from the information developed that this association on the part of Humphrey was for political purposes and that he, himself, used the Communists for his own personal gain rather than espousing their doctrines.

Two experienced Agents of your office should conduct these interviews.

Tolson \_\_\_\_\_  
Ladd \_\_\_\_\_  
Clegg \_\_\_\_\_  
Glavin \_\_\_\_\_  
Nichols \_\_\_\_\_  
Rosen \_\_\_\_\_  
Tracy \_\_\_\_\_  
Harbo \_\_\_\_\_  
Mohr \_\_\_\_\_  
Tele. Room \_\_\_\_\_  
Nease \_\_\_\_\_  
Gandy \_\_\_\_\_

Enclosure

MAILED 17  
OCT 20 1950

COMM. FBI

DEC 29 1964

XXXXXX  
XXXXXX  
XXXXXXFEDERAL BUREAU OF INVESTIGATION  
FOIPA DELETED PAGE INFORMATION SHEET4

Page(s) withheld entirely at this location in the file. One or more of the following statements, where indicated, explain this deletion.

- ☒ Deleted under exemption(s) b7c, b7d with no segregable material available for release to you.
- ☐ Information pertained only to a third party with no reference to you or the subject of your request.
- ☐ Information pertained only to a third party. Your name is listed in the title only.
- ☐ Document(s) originating with the following government agency(ies) \_\_\_\_\_, was/were forwarded to them for direct response to you.

\_\_\_\_\_ Page(s) referred for consultation to the following government agency(ies); \_\_\_\_\_ as the information originated with them. You will be advised of availability upon return of the material to the FBI.

\_\_\_\_\_ Page(s) withheld for the following reason(s):  
\_\_\_\_\_  
\_\_\_\_\_

☐ For your information: \_\_\_\_\_  
\_\_\_\_\_

- ☒ The following number is to be used for reference regarding these pages:

62-77455-71x1 enclosures

XXXXXX  
XXXXXX  
XXXXXX
 XXXXXXXXXXXXXXXXXXXX  
 X DELETED PAGE(S) X  
 X NO DUPLICATION FEE X  
 X FOR THIS PAGE X  
 XXXXXXXXXXXXXXXXXXXX

62-17785-7X1

ENCLOSURE

62-77485-7X1

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 11-13-83 BY SP-5 JCS/SG

# Baseless Cries of 'Red' Hurt U.S. Humphrey

By Staff Correspondent of Minneapolis Tribune

WASHINGTON, D. C.—New finger-pointing by congress at supposed Communists in and out of the government was sharply attacked Saturday by Sen. Hubert H. Humphrey (D., Minn.).

Humphrey declared that "irresponsible charges" on the floor of congress "are doing more to undermine American faith in representative government than the Communist party will ever be able to do."

THE SENATOR took the floor last week to defend the leadership of the Minnesota Farmers Union from charges that it was "communist-dominated." He used the occasion to lecture his fellow senators about their "irresponsible talk" about Communists.

"Who is undermining the government of the United States?" the Minnesota senator asked. "Is it not subversive for members of congress continuously to brand honorable American citizens as Communists?"

"Is it not undermining the confidence of the American people in their government to have men elected to office, or men in responsible positions, continuously brand someone in the government as a Communist?"

"The American people do not like the Communist party. They hate it, as they justly should. They do not like frauds and they do not like deceitful people. But I submit that there is hysteria in this country which has been generated by irresponsible, unfounded charges which have spread throughout the land.

"Today, when I go back to my state, or when any senator goes back home, people ask again and again, 'Is not Acheson a Communist?' I suppose now they will be asking, 'Is not Chapman (secretary of interior), a Communist?' Soon they will be asking whether someone else is not a Communist.

"THIS IS THE WAY to breed disrespect for law. This is the way to break down the institutions of law and order. All one has to do is continuously harass and continuously shout irresponsible charges against men in government. Ultimately democratic government will grow weak from the disunity of our people and the distrust of our officials.

"Congress has done a very great deal to undermine the confidence of the people in representative government. It is a tragedy, it is a shame, and it is about time that congress started acting as a responsible body.

"It is about time that the senate floor became a forum for responsible action and for statesmanlike statements given in the spirit of democracy and understanding, rather than having

the senate become a forum for every kind of foolish, ridiculous, unfounded charge that can be made."

Humphrey continued:

"We should be asking the American people to believe in their government, not to disbelieve in it; to rally around the government, rather than constantly pointing the finger of suspicion at it."



Humphrey

## Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. A. H. Belmont *AB*

DATE: October 17, 1950

FROM : Mr. F. J. Baumgardner

SUBJECT: SENATOR HUBERT HORATIO HUMPHREY, JR.  
SECURITY MATTER - C

Wason	
Ladd	
Clegg	
Glavin	
Nichols	
Rosen	
Tracy	
Harbo	
Belmont	
Mohr	
Tele. Room	
Hesse	
Gandy	

PURPOSE

To advise you of contemplated interviews with [REDACTED] and [REDACTED]

DETAILS

The Bureau is in receipt of a letter from [REDACTED] Minneapolis, Minnesota, dated 10-8-50 in which she states [REDACTED]

Enclosed with [REDACTED] letter was an undated newspaper clipping from the Minneapolis Tribune, datelined at Washington, D. C., headlined "Baseless Cries of 'Red' Hurt U.S. - Humphrey."

Bureau files reflect no identifiable information concerning [REDACTED]

Bureau files reflect that by letter dated October 19, 1949, from the Department of Labor, the Bureau was requested to conduct an investigation of Senator Hubert Humphrey under the provisions of Public Law 843, 80th Congress, inasmuch as Senator Humphrey was being considered as a delegate for the International Labor Organization convention to be held at Geneva, Switzerland, beginning November 22, 1949.

During the course of this investigation considerable derogatory, disloyal information concerning the Senator was ascertained. In the main it showed Senator Humphrey's close connection with known Communists and Communist infiltrated organizations in connection with his election as Mayor of Minneapolis in 1945. It appears from the information developed that this association on the part of Humphrey was for political purposes and that he himself used the Communists for his own personal gain rather than espousing their doctrines.

RECORDED

OCT 30 1950

DEC 29 1964

Attachment

:kmb

62-77485-7X2  
35ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED  
DATE 6-1-82 BY 7858/sal/efg

RECOMMENDATION

(1) It is recommended that the letter from [REDACTED] not be acknowledged, but that the correspondent, [REDACTED] be interviewed by the Minneapolis Office for all pertinent details concerning the information furnished in her letter, unless the indices of the Minneapolis Office reveal information which would make this interview inadvisable.

(2) It is further recommended that [REDACTED] be interviewed for all pertinent information in her possession concerning the alleged Communist activities of Senator Hubert Humphrey and the information obtained be furnished the Bureau under appropriate caption, unless the indices of the Minneapolis Office reveal information concerning [REDACTED] which would make this interview inadvisable. b2

✓ Jek

I concur.  
H.

## Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. D. M. Ladd

FROM : Mr. A. H. Belmont

SUBJECT: SENATOR HUBERT HORATIO HUMPHREY, JR.  
INFORMATION CONCERNING

DATE: December 19, 1950

Tolson \_\_\_\_\_  
Ladd \_\_\_\_\_  
Clegg \_\_\_\_\_  
Glavin \_\_\_\_\_  
Harbo \_\_\_\_\_  
Rosen \_\_\_\_\_  
Tracy \_\_\_\_\_  
Belmont \_\_\_\_\_  
Mohr \_\_\_\_\_  
Tele. Room \_\_\_\_\_  
Nease \_\_\_\_\_  
Gandy \_\_\_\_\_

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 6-7-82 BY 1858 SA/ae/p

PURPOSE

To recommend that no further action be taken in this matter.

BACKGROUND

You will recall that the Bureau received a letter from [REDACTED] Minneapolis, Minnesota, dated October 8, 1950, in which she stated [REDACTED]

It was recommended that [REDACTED] and [REDACTED] be interviewed concerning this matter.

DETAILS

The attached reply has now been received from the Minneapolis Office. [REDACTED] upon interview, was unable to furnish any additional information concerning this matter. [REDACTED] verified the above information, but was unable to furnish the names of any additional witnesses and knew of no additional activity on the part of Senator Humphrey to indicate that he is a Communist or was one at that time.

Interviewing agents were of the impression that [REDACTED] was somewhat frustrated and advised that her conversation was not coherent.

RECOMMENDATION

It is recommended that no further action be taken in this matter.

RECORDED - 104  
EX-46

62-77485-7X3  
JAN. 8 1951

51 JAN 9 1951

DEC 29 1964

37 JAN 1951

## Office Memorandum • UNITED STATES GOVERNMENT

TO : Director, FBI

FROM : SAC, Minneapolis

SUBJECT: SENATOR HUBERT HUMPHREY  
INFORMATION CONCERNING  
Bureau File 77-44669

DATE: December 12, 1950

CONFIDENTIAL

DECLASSIFIED BY 7838/SA/da/ga  
ON 6-1-88

Reference is made to the letter from the Bureau dated October 18, 1950 requesting that [REDACTED]

[REDACTED] be interviewed regarding an allegation made by [REDACTED] to the effect that Senator HUMPHREY was a Communist and wanted others to join the Communist Party to work together. A further allegation concerning Senator HUMPHREY on the part of [REDACTED] was made to the effect that the Senator purportedly said that the Communist Party is "going places".

[REDACTED] was interviewed by [REDACTED] on November 7, 1950 at which time she advised that she has known [REDACTED] [REDACTED] stated that she considered [REDACTED] dependable and reliable and reported that it was her belief that she would be willing to talk to an agent of the Federal Bureau of Investigation. [REDACTED] b7c

[REDACTED] was unable to furnish any information not previously reported in her letter to the Bureau.

[REDACTED] at the time regretted the fact that she had ever made such a statement concerning the Senator and advised that she should have kept quiet. [REDACTED] did not deny that she had made this statement and advised that Mr. HUMPHREY had "said as much" about twelve or fourteen years ago when he taught some classes under the WPA. [REDACTED] was unable to give the names of any additional witnesses and knew of no additional activity on the part of Senator HUMPHREY to indicate that he is a Communist or was one at that time.

It appeared to the Agents that [REDACTED] was somewhat frustrated for during the interview she at one time advised that HUMPHREY is now in "the White House" and at another time referred to him as being at the head of a corporation. It was the impression of the Agents that [REDACTED] thinking [REDACTED] and her conversation was not coherent.

In view of the unstable action and appearance of [REDACTED] further investigation is being conducted.

ALL INFORMATION CONTAINED

HEREIN IS UNCLASSIFIED

DATE 6-1-82 BY 2558/SA/da/ga

RECORDED - 21/100-37354

INDEXED - 7

DEC 14 1950

RECEIVED

65 JAN 10 1951

DEC 29 1964

EX-37

100-373544

62-77485-7

Date: June 20, 1950

To: Mr. U. E. Baughman  
Chief  
United States Secret Service  
Treasury Department  
Washington, D. C.

From: John Edgar Hoover - Director, Federal Bureau of Investigation

Subject: ~~ANONYMOUS COMMUNICATION RECEIVED~~  
~~BY SENATOR HUBERT H. HUMPHREY~~  
~~INFORMATION CONCERNING~~

*HUBERT H. HUMPHREY*

There are enclosed herewith the original of a document and the envelope in which it was received, addressed to Senator Hubert H. Humphrey, which were forwarded to this Bureau by the [redacted] It is noted that the communication was postmarked at LaCrosse, Wisconsin, on May 25, 1950.

The enclosed is being forwarded for your information inasmuch as it contains a derogatory reference to the President of the United States.

Enclosure

INDEXED - 41

RECORDED - 41

62-77485-7X

~~1-1-1-24682~~

Original forwarded to Secret Service in accordance with previous request of that organization. Photostatic copies retained in Bureau file.

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 6/1/83 BY 1885 SA/Kelly

JUN 21 1950

- Tolson
- Ladd
- Clegg
- Gleavin
- Nichols
- Rosen
- Tracy
- Harbo
- Mohr
- Tele. Room
- Nease
- Gandy

RECEIVED READING ROOM  
FBI  
U. S. DEPT. OF JUSTICE

UNITED STATES GOVERNMENT

# Memorandum

TO : DIRECTOR, FBI

FROM : SAC, KNOXVILLE (157-1524) (C)

DATE: 10/3/68

SUBJECT: SCHEDULED APPEARANCE OF  
PRESIDENTIAL CANDIDATE  
HUBERT H. HUMPHREY  
KNOXVILLE, TENNESSEE  
OCTOBER 1, 1968  
RACIAL MATTERS

Re Knoxville airtel to Bureau dated 9/30/68.

Enclosed to the Bureau are 11 copies of letterhead memorandum captioned and dated as above.

Interested intelligence agencies, Secret Service, Nashville, and U. S. Attorney, Chattanooga, advised locally.

Information in letterhead memorandum obtained by [REDACTED]

2 - Bureau (Encls. 11) (RM)  
2 - Knoxville  
(1 - 100-3528, SSOC)  
:lhm

(4)

AGENCY: ACSI, ONI, OSI, STATE

SEC. SER.: RAO

DATE FORWARD: 10-14-68

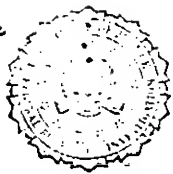
HOW FORWARD: [REDACTED]

ENCLOSURE

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan

NOT RECORDED  
165 OCT 14 1968

ORIGINAL



UNITED STATES DEPARTMENT OF JUSTICE  
FEDERAL BUREAU OF INVESTIGATION

WASHINGTON, D.C. 20535

In Reply, Please Refer to  
File No.

Director  
United States Secret Service  
Department of the Treasury  
Washington, D. C. 20220

October 3, 1968

Dear Sir:

The information furnished herewith concerns an individual who is believed to be covered by the agreement between the FBI and Secret Service concerning Presidential protection, and to fall within the category or categories checked.

1. ☐ Has attempted or threatened bodily harm to any government official or employee, including foreign government officials residing in or planning an imminent visit to the U. S., because of his official status.
2. ☐ Has attempted or threatened to redress a grievance against any public official by other than legal means.
3. ☐ Because of background is potentially dangerous; or has been identified as member or participant in communist movement; or has been under active investigation as member of other group or organization inimical to U. S.
4. ☐ U. S. citizens or residents who defect from the U. S. to countries in the Soviet or Chinese Communist blocs and return.
5. ☒ Subversives, ultrarightists, racists and fascists who meet one or more of the following criteria:
  - (a) ☐ Evidence of emotional instability (including unstable residence and employment record) or irrational or suicidal behavior;
  - (b) ☐ Expressions of strong or violent anti-U. S. sentiment,
  - (c) ☒ Prior acts (including arrests or convictions) or conduct or statements indicating a propensity for violence and antipathy toward good order and government.
6. ☐ Individuals involved in illegal bombing or illegal bomb-making.

Photograph ☐ has been furnished ☐ enclosed ☐ is not available  
☐ may be available through \_\_\_\_\_

Very truly yours,

  
John Edgar Hoover  
Director

1 - Special Agent in Charge (Enclosure(s) (2) (RM)  
U. S. Secret Service, Nashville, Tennessee

Enclosure(s)

(Upon removal of classified enclosures, if any, this transmittal form becomes UNCLASSIFIED.)



UNITED STATES DEPARTMENT OF JUSTICE  
FEDERAL BUREAU OF INVESTIGATION  
Knoxville, Tennessee  
October 3, 1968

In Reply, Please Refer to  
File No.

SCHEDULED APPEARANCE OF  
PRESIDENTIAL CANDIDATE  
ROBERT M. HUMPHREY,  
KNOXVILLE, TENNESSEE  
OCTOBER 1, 1968  
RACIAL MATTERS

Reference is made to communication dated  
September 30, 1968.

[REDACTED] University of Tennessee (U-T), Knoxville,  
Tennessee, advised a Special Agent of the FBI on October 2,  
1968, that Presidential Candidate Hubert H. Humphrey delivered  
an address at the Stokely Athletic Center on the U-T Campus  
from 8:30 P.M. to 10:30 P.M., October 1, 1968.

He stated no demonstrations or disturbances of  
any nature occurred during this address. He said this  
affair was open to the public and approximately 11,000  
people attended, including U-T students. b7c

He stated that approximately 10 to 12 individuals  
stood outside the entrance of the Center carrying signs, one  
of which indicated "Stop The War." He said several individuals  
wore black arm bands inside the Center, however, they did  
not cause any disturbance.

[REDACTED] further stated that some signs adver-  
tising George Wallace for President were placed on the rear  
wall of the Center, however, these signs were immediately  
removed by security guards and disposed of. He stated no  
signs were allowed to be carried inside the Center and  
instructions were given that no heckling or disturbances by  
anyone would be allowed. He indicated a few pickets standing

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 6-1-82 BY 1858/SR/CLP

ENCLOSURE

ENCLOSURE

6

42

SCHEDULED APPEARANCE OF  
PRESIDENTIAL CANDIDATE  
HUBERT H. HUMPHREY,  
KNOXVILLE, TENNESSEE  
OCTOBER 1, 1968

outside laid their signs down on the ground before they entered the Center.

In the October 1, 1968 issue of the "U-T Daily Beacon," student newspaper of U-T, there appeared an article captioned, "SSOC Pledges No Heckling." This article in part indicated that a newly organized campus group, the Knoxville Chapter of the Southern Student Organizing Committee, announced plans September 30, 1968, to stage a silent demonstration against the Vietnam War during Vice President Humphrey's visit. The article indicated this group held its first meeting last Tuesday and indicated they felt the best form of opposition to political statements of Mr. Humphrey would not be booing, hissing, or heckling, but total silence. This group indicated that Mr. Humphrey had the right to be heard also.

Attached is a characterization of the Southern Student Organizing Committee (SSOC).

[REDACTED] further stated that on the morning of October 2, 1968, Mr. Humphrey reappeared on the U-T Campus and visited the Estes Kefauver Memorial Library and then departed for Jacksonville, Florida, by plane around 10:30 to 11:00 A.M. He stated during this second visit approximately 100 students gathered around Mr. Humphrey and shook his hand, however, there were no disturbances during his visit. bx

SOUTHERN STUDENT ORGANIZING COMMITTEE (SSOC)

[redacted] advised that the Southern Student Organizing Committee (SSOC) was formed on the weekend of April 3-5, 1964, to stimulate activity of Southern student groups in areas of civil rights, peace, academic freedom, civil liberties, capital punishment, and unemployment. Originally, it was to be a white counterpart of the Student Nonviolent Coordinating Committee (SNCC). It has agreed to work with similar interested groups such as SNCC and Students for a Democratic Society (SDS) and Southern Conference Educational Fund, Inc. (SCEF). SSOC is a fraternal affiliate of the SDS. b7d

Beginning in the Fall of 1966, SSOC became a membership organization and embarked on a campaign to form local chapters on various college campuses throughout the South. SSOC publishes, October through May each year, a publication, "New South Student," which according to the above source has increasingly espoused and defended the pro-Communist and anti-United States position on domestic and foreign policy.

[redacted] advised that SSOC continues to be headquartered at 1703 Portland Avenue, Nashville, Tennessee, and continues to defend and espouse the pro-Communist and anti-United States position with particular emphasis on attacking United States policy in Vietnam and emphasis on attacking the Selective Service System. [redacted]

[redacted] noted that SSOC Chairman Thomas N. Gardner in the Summer of 1967 traveled to Prague, Czechoslovakia, where he met with representatives of the National Liberation Front (NLF) and the Democratic Republic of Vietnam (DRV), and that SSOC staff members Bruce Smith and Alan Levin traveled to Cuba in the Summer of 1967 and February, 1968, respectively.

By letter dated April 26, 1968, on SSOC letterhead mailed to the general SEOC membership over the signature of Mike Welch, Executive Secretary of SEOC, it was announced that as a step toward close relations with the Students for a Democratic Society (SDS) and better communications with the movement nationally, SSOC and SDS have worked out an exchange of the "New South Student" and the "New Left Notes," and that SDS and SEOC were exchanging contact lists of their respective memberships for this exchange.

APPENDIX

SOUTHERN STUDENT ORGANIZING COMMITTEE (SSOC)

The May, 1968, issue of "New South Student" indicates that the SSOC mailing address is P. O. Box 6403, Nashville, Tennessee, 37212, Telephone Number 615-291-3537, and the masthead describes the organization as "An association of young concerned Southerners dedicated to social change," as taken from the preamble of the SSOC constitution.

10

SENATOR HUBERT H. HUMPHREY, Jr. (D., Minn.) Comes to Senate with reputation of energetic, hard-fighting liberal



79

... It was he who pushed through strong civil rights plan at Democratic convention which caused Dixiecrats to bolt ... Has said he favors

return to price controls to halt inflation ... Only 37, he ended Senate tenure of Republican Joseph H. Ball ... Called Ball "the leader of a new type of isolationism" ... Elected Mayor of Minneapolis in 1945 by city's greatest plurality ... Got even bigger vote when reelected in 1947 ... Graduate pharmacist ... Has taught political science ... Native of Wallace, S. D. ... Home is Minneapolis ... Favors home rule for District.

E. I. R. - 1.

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED

DE-INDEXED  
DATE: 1-20-35

DATE 6-1-82 BY 7858/SA/ucy/washington

Pack

1/20/49

56 MAR 2 1949

46

DO-5

OFFICE OF DIRECTOR  
FEDERAL BUREAU OF INVESTIGATION  
UNITED STATES DEPARTMENT OF JUSTICE

Date Feb. 20, 1951 Time 5:25 PM

The secretary to Senator Hubert  
Humphrey (D-Minn.) tele

Phone No. \_\_\_\_\_

Mr. Tolson ☒  
Mr. Ladd \_\_\_\_\_  
Mr. Clegg \_\_\_\_\_  
Mr. Glavin \_\_\_\_\_  
Mr. Nichols ☒  
Mr. Rosen \_\_\_\_\_  
Mr. Tracy \_\_\_\_\_  
Mr. Harbo \_\_\_\_\_  
Mr. Belmont \_\_\_\_\_  
Mr. Jones \_\_\_\_\_  
Mr. Mohr \_\_\_\_\_  
Tele. Room \_\_\_\_\_  
Mr. Nease \_\_\_\_\_  
Miss Holmes \_\_\_\_\_  
Miss Gandy \_\_\_\_\_

REMARKS

The secretary stated that Senator Humphrey and Congressman Eugene McCarthy (D-Minn.) were desirous of having an appointment with the Director or one of his assistants tomorrow morning at 9:30 o'clock. She did not indicate what they desired to discuss. After checking an appointment was arranged for the Senator and the Congressman to see [REDACTED]

The secretary was most appreciative and stated that the Senator and Congressman would come to [REDACTED] Office at 9:30AM tomorrow. b7c

new

INDEXED - 79

RECORDED - 79

62-774858

EX-35

60 MAR 12 1951

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 6-1-82 BY 7858/SR/clj/g

47

Office Memorandum

UNITED STATES

GOVERNMENT

TO : MR. TOLSON

DATE: April 3, 1951

FROM : L. B. NICHOLS

SUBJECT:

Mr. Ladd received a call from [REDACTED] to Senator Humphrey. [REDACTED] stated the Senator would like very much to have a copy of the remarks the Director made in introducing Senator Humphrey at the Graduation Exercises on March 30.

Mr. Ladd told [REDACTED] he would see if a copy were available. *b7c*

There is attached a copy which I have revised somewhat from the original text. It is suggested that Mr. Ladd call [REDACTED] and make this available to him.

CC: Mr. Ladd

LEB:mb

Attachment

*original copy to  
Senator Humphrey's  
4/4/51. mth*

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 6-7-82 BY 7855/SA/ucp

RECORDED - 14

EX-92

APR 7 1951

25

APR 11 1951

48

MR. HOOVER:

We have with us this morning, a number of distinguished guests I would like very briefly to introduce to the audience. The first guest I am going to present was born in the State of South Dakota, later moved to Minnesota, and became Mayor of Minneapolis. He took over that responsibility at a time when the city of Minneapolis had a rather unsavory reputation. He campaigned upon a program to keep it free and clean and carried out that program. While Mayor of that city, he appointed to the second highest position in the police department of Minneapolis, Thomas R. Jones, who this morning is graduating in the graduating class and is today the Superintendent of Police of Minneapolis. It is my pleasure to introduce the Honorable Hubert H. Humphrey, United States Senator from Minnesota.

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED

67-82 BY 4858/SR/ce/gu

Read to  
and approved  
by SAC  
Rhodes  
4/25 ✓

62-77485-9

49

March 30, 1951

Honorable Hubert H. Humphrey  
United States Senate  
Washington, D. C.

My dear Senator:

It was a real pleasure to have you with us at the graduation exercises of the FBI National Academy this morning. I know that Superintendent of Police Thomas R. Jones of the Minneapolis Police Department was particularly honored by your presence. I enjoyed the opportunity of talking to you before the exercises began.

With expressions of my highest esteem and best regards,

Sincerely yours,

J. Edgar Hoover

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED

DATE 6-1-88 BY SP-6/BJL

MAILED 6  
MAR 30 1951  
COMM - FBI

APR 3 1951  
80

162-77485-10

APR 20 2 02 PM '51

U.S. DEPT. OF JUSTICE

FBI

RECEIVED - MAIL ROOM

Tolson \_\_\_\_\_  
Ladd \_\_\_\_\_  
Clegg \_\_\_\_\_  
Glavin \_\_\_\_\_  
Nichols \_\_\_\_\_  
Rosen \_\_\_\_\_  
Tracy \_\_\_\_\_  
Harbo \_\_\_\_\_  
Belmont \_\_\_\_\_  
Mohr \_\_\_\_\_  
Tele. Room \_\_\_\_\_  
Nease \_\_\_\_\_  
Gandy \_\_\_\_\_

at 5-1  
7-6-51

RECEIVED - DIRECTOR  
FBI  
U.S. DEPT. OF JUSTICE  
MAR 30 1 50 PM '51

APR 30 1 07 PM '51

b7c

50

March 31, 1951

Honorable Hubert H. Humphrey  
United States Senate  
Washington, D. C.

My dear Senator:

I am indeed pleased to enclose copies  
of the photographs which were taken following  
the graduation exercises yesterday morning.

I thought perhaps you might like to see them.

With expressions of my highest  
esteem and best regards,

Sincerely yours,

J. Edgar Hoover  
ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 6-1-82 BY 7858/SA/clw/g

Enclosure

519

RECORDED - 97

162-77485-11  
APR 6 1951

80

Encl 135

Tolson \_\_\_\_\_  
Ladd \_\_\_\_\_  
Clegg \_\_\_\_\_  
Glavin \_\_\_\_\_  
Nichols \_\_\_\_\_  
Rosen \_\_\_\_\_  
Tracy \_\_\_\_\_  
Harbo \_\_\_\_\_  
Belmont \_\_\_\_\_  
Mohr \_\_\_\_\_  
Tele. Room \_\_\_\_\_  
Nease \_\_\_\_\_  
Gandy \_\_\_\_\_

MAILED 6  
MAR 31 1951  
COMM - FBI

APR 17

51

JOHN SPARKMAN, ALA., CHAIRMAN  
 ERNEST W. McFARLAND, ARIZ. CHARLES W. TOLSON  
 HERBERT R. O'CONNOR, MD. LEVERETT BALT  
 RUSSELL B. LONG, LA. EDWARD J. THYE  
 GUY M. GILLETTE, IOWA ROBERT C. HEND  
 HUBERT H. HUMPHREY, MINN. ANDREW F. SCHC  
 LESTER C. HUNT, WYO. WILLIAM BENTON, CONN.

LAURANCE G. HENDERSON, STAFF DIRECTOR  
 CHARLES E. SHAYER, GENERAL COUNSEL

# United States Senate

SELECT COMMITTEE ON SMALL BUSINESS

(CREATED PURSUANT TO S. RES. 11, 81ST CONGRESS)

April 17, 1951

Honorable J. Edgar Hoover, Director  
 Federal Bureau of Investigation  
 U.S. Department of Justice  
 Washington 25, D.C.

Mr. Tolson	✓
Mr. Ladd	✓
Mr. Clegg	✓
Mr. Glavin	✓
Mr. Nichols	✓
Mr. Rosen	✓
Mr. Tracy	✓
Mr. Harbo	✓
Mr. Alden	✓
Mr. Belmont	✓
Mr. Laughlin	✓
Mr. Mohr	✓
Tele. Room	✓
Mr. Nease	✓
Miss Gandy	✓

*[Redacted signature area]*  
 b7c

My dear Friend:

It was very kind and thoughtful of you to send me the pictures which were taken at the graduation exercises of the FBI National Academy on March 30. I greatly appreciated the opportunity of being present at the exercises particularly since my good friend, Superintendent of Police Thomas Jones was one of the graduates.

EXPEDITE PROCESSING

My best wishes and warm personal regards.

APR 19 1951

Sincerely yours,

*Hubert H. Humphrey*  
 Hubert H. Humphrey

RECORDED - 39

EX - 97

62-77485-12

*[Handwritten initials]*

193  
 66 APR 28 1951

## Office Memorandum • UNITED STATES GOVERNMENT

TO : THE DIRECTOR

DATE: April 24, 1951

FROM : D. M. Ladd

SUBJECT:

Tolson ✓  
Ladd ✓  
Clegg ✓  
Glavin ✓  
Nichols ✓  
Rosen ✓  
Tracy ✓  
Mohr ✓  
Tele. Room ✓  
Nease ✓  
Gandy ✓

I took a call from [REDACTED] to Senator Humphrey. He stated that they have received a large number of letters growing out of the MacArthur situation, one of which he read to me and which indicated that the writer felt that the Soviet Government was far superior to the American Government.

[REDACTED] stated that a number of the letters received were of this nature and that some contained threats against the Senator. He wanted to know if the Bureau would be interested in receiving these.

I told him that we would be glad to have any such letters in order that we might check them against our files to see if there are any subversive connections of the above typed referred to.

DML:dad

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 1-8-83 BY 7855/SR/cy/ga

RECORDED - 115

162-77485-13

APR 28 1951

MAY 5 1951

## Office Memorandum • UNITED STATES GOVERNMENT

TO : MR. TOLSON

DATE 10/9/51

FROM : J. P. MOHR

SUBJECT: SENATOR HUBERT H. HUMPHREY OF MINNESOTA

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 6-1-82 BY 7858/2A/CYR

[redacted] called for you today and in your absence I talked to [redacted]. [redacted] stated that the Senator was interested in getting a check made of the Bureau's files concerning employees presently in his office and possibly of any applicants for employment in his office. [redacted] explained the reason the question came up was that [redacted] had a young lady applying for a position in the Senator's Office, that they don't know anything about her and they considered the possibility of requesting a check of the Bureau's indices on this individual. While discussing this matter the Senator suggested it might be a good idea to have a check made of all of the employees in his office. [redacted] stated the Senator is aware that the Bureau has made checks of this type for various Committees on the Hill.

I asked [redacted] how many employees would be involved and he said ten. He said primarily what was desired would be a check of the Bureau's indices but if possible also a check of the Identification Division files. He said they were primarily interested in derogatory security information and secondarily in any other derogatory information which might be reflected on employees in the Senator's Office such as would be obtained from a check of the criminal indices in this building and the Identification Division criminal records.

I told [redacted] that I would check and let him know some time tomorrow our decision in the matter. I did point out to him the vast volume of work we were presently handling and that there was a limitation on just what we could do and I was not certain we could be of assistance in this matter.

There are numerous references in the files on Senator Humphrey and he was investigated by the Bureau in the latter part of 1949 under the International Labor Organization Act since the Senator was a delegate to the convention to be held in Geneva, Switzerland beginning November 22, 1949. During the course of this investigation considerable derogatory disloyal information concerning the Senator was ascertained. In the main it showed his close connection with known Communists and Communist infiltrated organizations in connection with his election as Mayor of Minneapolis in 1945. It appeared from the information developed that this association on the part of Humphrey was for political purposes and that he used the Communists for his own personal gain rather than espousing their doctrines. (This information was obtained from Bureau file 100-373544 in a memorandum from Mr. [redacted] to Mr. Belmont dated 10/1/51.)

JPM:DW

INDEXED - 118  
RECORDED - 118  
EX-105OCT 13 1951  
18

F 378

RECOMMENDATION

I recommend that I call [REDACTED] back and advise him that it just will not be possible for the Bureau to take on this additional name check work in view of our tremendous commitments along this line. b7c

I agree

10/10

✓

I very definitely agree

Done  
10/11/51

## Office Memorandum • UNITED STATES GOVERNMENT

TO : MR. TOLSON

DATE: 12/13/51

FROM : J. P. MOHR *JPM*

SUBJECT: SENATOR HUBERT H. HUMPHREY OF MINNESOTA

[redacted] to Senator Humphrey, endeavored to call you this morning and while you were tied up on other matters I took the call. [redacted] stated that while he and the Senator were in Europe, the Senator's office had been requested to contact the Bureau in an effort to have us make record check on the employees on the Senator's staff. [redacted] stated that the Senator's Office was advised that the Bureau would be unable to comply with this request because of the work load confronting us. [redacted] stated that the Senator is very desirous of having these record checks made and is asking again whether we can do this for him.

I wrote a memorandum on October 9, 1951 in which I pointed out that [redacted], inquired whether the Bureau would make a record check of the Senator's staff and any applicants for employment to his staff. At that time [redacted] stated that the Senator was aware that the Bureau had made checks of this type for various committees on the hill. [redacted] told me at the time that ten employees would be involved.

I recommended at that time that I call [redacted] and advise him that it just would not be possible for the Bureau to take on this additional name check work in view of our tremendous commitments along this line. You agreed with this recommendation and the Director stated, "I very definitely agree." [redacted] was advised accordingly.

I recommend that [redacted] be advised that it is impossible for us to take on any additional name check work in view of our tremendous commitments at this time. If you agree I will advise [redacted]

JPM:DW

ALL INFORMATION CONTAINED

HEREIN IS UNCLASSIFIED

DATE 6-1-80

BY 2555/54/00

RECORDED - 59

EX-68

ENCLOSURE

162-77485-14

JAN 13 1952

10

## Office Memorandum • UNITED STATES GOVERNMENT

TO : MR. TOLSON

FROM : J. P. MOHR

SUBJECT: SENATOR HUBERT H. HUMPHREY OF MINNESOTA

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED

DATE: 12/19/51

DATE: 1-8-82 BY: 017856/ajg/01

Reference is made to my memorandum dated December 13, 1951, which is attached, in which I advised that [redacted] to Senator Humphrey, endeavored to contact you since Senator Humphrey was very desirous of having the Bureau make record checks of the employees in the Senator's Office. [redacted] had pointed out that he was reiterating a previous request made by the Senator's Office which occurred in October 1951 while the Senator and [redacted] were in Europe. In my memorandum, I pointed out on October 9, 1951, [redacted]

[redacted] inquired whether the Bureau would make a record check of the Senator's staff and any applicants for employment to this staff. I recommended and it was approved that [redacted] be advised the Bureau would be unable to make such record checks in view of our tremendous commitments along this line. In connection with [redacted] inquiry, I again recommended that [redacted] be advised of the impossibility of the Bureau taking on any additional name check work at this time. You and the Director agreed.

I called [redacted] on December 14, 1951 and told him we simply were unable to take on any additional name check work because of our tremendous responsibilities in this regard. [redacted] then asked if it would be possible for the Bureau to make a name check on one of the employees in the Senator's Office and he stated that the reason he wanted this done was because he believed that Senator McCarthy might make an attack against Senator Humphrey because of one of Senator Humphrey's employee's background. [redacted] stated he was referring to the [redacted] and in response to my specific inquiry he identified this individual as [redacted]

I then pointed out to [redacted] that under Executive Order the Bureau is prohibited from giving out loyalty data and it would appear that would be the type of information the Senator would be interested in and although I knew of nothing concerning [redacted] in our files, it would be my suggestion that the Senator's Office address their inquiry to the Attorney General. Before I made the suggestion, [redacted] wanted to know if the President authorized an exception whether we would be able to make available data appearing in our files. I told [redacted] that this entire matter was one of policy and most certainly should be discussed with the Attorney General. [redacted] indicated that the Senator's Office would undoubtedly make a direct request to the Attorney General. [redacted] stated he was appreciative of our thoughtfulness in this matter and he understood our inability to be of assistance with respect to the inquiry concerning [redacted]

ENCL

JPM:DW

MEMO to AG, 12/21/51  
cc [redacted] MEN


64 JAN 25 1952


RECORDED - 59  
INDEXED - 59  
EX-68

JAN 3 1952

17483-14

71 [redacted]

 b7c  
It is noted that Senator Humphrey is a member of the Labor and Public Welfare Committee of the Senate and  during his conversation with me indicated that the Senator was aware of  b7c

 It may well be that Senator Humphrey is aware of the information which appears in the Bureau's files up to March, 1950. In any event, I recommend no further action be taken with respect to this matter at this time.

✓ J. J. Mohr

Send memo to A. J.  
+ 

L.

SA INFORMATION - CONFIDENTIAL

The Attorney General

December 21, 1951

Director, FBI

FROM THE OFFICE OF SENATOR  
HUBERT H. HUMPHREY (D-MINN.)

DECLASSIFIED BY 9809  
ON 5/17/82  
ADVISED BY  
SLIP (S) C  
DATE 5/17/82

89-X3 RECORDED - 59 62-77485-14

For your information, on December 14, 1951,

[redacted] to Senator Hubert H. Humphrey (D-Minn.) contacted this Bureau on behalf of the Senator and requested a name check on [redacted]. [redacted] advised that the reason he wanted this done was because he believed that Senator Joseph McCarthy (R-Wisc.) might make an attack against Senator Humphrey [redacted].

[redacted] was subsequently advised that the Bureau would be unable to comply with his request. It was pointed out to him that the information in which he was undoubtedly most interested would be of a loyalty nature and that if Bureau files reflected any information reflecting upon the loyalty of [redacted], the Bureau would be prohibited from giving this out because of an Executive Order. [redacted] wanted to know whether, if the President authorized an exception, the Bureau would be able to make available data appearing in our files concerning [redacted].

[redacted] was advised that this entire matter was one of policy and should be discussed with your office. He indicated that the Senator's Office would undoubtedly make a direct request of you. (Unrecorded memo from Mr. Mohr to Mr. Tolson dated 12-19-51, Re: "Senator Hubert H. Humphrey")

For your further information, on March 20, 1950, Mr. Peyton Ford, then Assistant to the Attorney General, was furnished a memorandum concerning the Senate Subcommittee on Labor Management Relations of the Senate Committee on Labor and Public Welfare. This memorandum contained attachments, one of which was a summary of information in our files relative to [redacted].

In view of the fact that [redacted] indicated that Senator Humphrey's Office would be in direct contact with you relative to information concerning [redacted], 30 pages are attached to this memorandum one copy of the above-referred to summary. (62-60527-16398)

Tolson  
Ladd  
Nichols  
Belmont  
Clegg  
Glavin  
Harbo  
Rosen  
Tracy  
Mohr  
Tele. Rm.  
Nease  
Gandy

men  
Attachment

cc - Mr. A. Devitt Vanech (Attachment)  
Deputy Attorney General

DEC 26 1951

CONFIDENTIAL

ALL INFORMATION CONTAINED

DATE 6-1-82 BY 785/34/0/9

DEC 50

62-60527-16398

11.6 92

SECURITY INFORMATION - ~~CONFIDENTIAL~~

A current review of Bureau files reflects the following information, received since the preparation of the March 20, 1950, memorandum:

[REDACTED] b7c

Bureau investigation has revealed that the Libertarian Press is the publishing house for Curreant House, which is also known as the World Citizens Committee of Glen Gardner, New Jersey.

Bureau investigation has further revealed that a leaflet entitled "Alternative," published by the Committee for Non-Violent Revolution, Post Office Box 827, Church Street Station, New York City, printed by the Libertarian Press, Glen Gardner, New Jersey, was for a period of time banned from the United States mails. This ban was put in effect for "impairing the morale of the armed forces and for interfering with the enlistment and recruit service of the United States."

Bureau investigation has further indicated that Curreant House, which as stated above is also known as the World Citizens Committee of Glen Gardner, New Jersey, is pacifist in nature and that numerous individual members of this group at Glen Gardner have long records of objecting to war. The group does not appear to follow the Communist Party line or to be controlled by the Communist Party. (100-369533-3, 15)

## Office Memorandum • UNITED STATES GOVERNMENT

TO : Director FBI

DATE: 1-29-52

FROM: SAC Kansas City

SUBJECT: HUBERT HUMPHREY  
U. S. Senator from Minnesota

Mr. Tolson	✓
Mr. Ladd	✓
Mr. Nichols	✓
Mr. Belmont	✓
Mr. Clegg	✓
Mr. Glavin	✓
Mr. Harbo	✓
Mr. Rosen	✓
Mr. Tracy	✓
Mr. Laughlin	✓
Mr. Mohr	✓
Mr. Nease	✓
Miss Gandy	✓

I have been informed by [REDACTED] of this office that he is a close personal friend of HUBERT HUMPHREY, U. S. Senator from Minnesota. This acquaintanceship arose while [REDACTED] was living in Minnesota and he has known HUMPHREY for the last seven years. He has met him through Congressman JOHN A. BLATNIK, Eighty District of Minnesota during the weekend of January 24 through January 26, 1952 when a Democratic conference was held in Kansas City, Kansas. Among those in attendance was Senator HUMPHREY and therefore on January 26, 1952 [REDACTED] visited him at the Town House Hotel in Kansas City, Kansas, where Senator HUMPHREY was registered. In the ensuing conversation, Senator HUMPHREY made a number of statements indicating his admiration for the Bureau and personal esteem and regard in which he holds you. He made the following remarks to a group of his committeemen from his home state, that the FBI has one of the most wonderful schools in the country in Washington, D. C. and commended the Director with the fine job he has done in training agents, which he thinks is the finest group of men in the country.

He further remarked that he had the pleasure to meeting [REDACTED] and many other agents and stated all of them were above reproach and that he realizes how much time and effort was put in to building up such an outstanding organization as the FBI.

:jl

RECORDED-64

FEB 11 1952

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 6-1-82 BY 7858 SPC/ce/g

65 FEB 27 1952

PERS. FILES

## Office Memorandum • UNITED STATES GOVERNMENT

TO : MR. TOLSON

DATE: March 21, 1952

FROM : L. B. NICHOLS

SUBJECT:

Tolson \_\_\_\_\_  
 Ladd \_\_\_\_\_  
 Clegg \_\_\_\_\_  
 Glavin \_\_\_\_\_  
 Harbo \_\_\_\_\_  
 Rosen \_\_\_\_\_  
 Tracy \_\_\_\_\_  
 Harbo \_\_\_\_\_  
 Belmont \_\_\_\_\_  
 Mohr \_\_\_\_\_  
 Tele. Room \_\_\_\_\_  
 Nease \_\_\_\_\_  
 Gandy \_\_\_\_\_

\_\_\_\_\_ to  
 Senator Humphrey of Minnesota, called me on March 20.  
 He was very much touched by the story told him by \_\_\_\_\_

\_\_\_\_\_. He claimed that he merely happened to be along, had no participation in this but was convicted and given a three years' sentence. He told \_\_\_\_\_ this was his only crime.

\_\_\_\_\_ checked at both \_\_\_\_\_ and \_\_\_\_\_ where he worked and they spoke highly of him. \_\_\_\_\_ felt that if this were his only crime, it would be worthwhile to try to rehabilitate him. b7c

After checking \_\_\_\_\_ criminal arrest record, I advised \_\_\_\_\_ of the numerous arrests and convictions he had had. \_\_\_\_\_ was amazed as this individual did not impress him as this type of person.

\_\_\_\_\_ also had a telegram from \_\_\_\_\_ in Minneapolis, who suggested he check with us on this individual's record.

\_\_\_\_\_ stated that he had been completely taken and he would have nothing further to do with this person.

\_\_\_\_\_ also asked that we furnish him with an abstract of \_\_\_\_\_ record in order to complete their files.

*sent* Since the Senator is entitled to a criminal record, a letter is attached transmitting the record.

cc - \_\_\_\_\_ c

RECORDED - 71

LBN:nb

ALL INFORMATION CONTAINED  
 HEREIN IS UNCLASSIFIED  
 DATE 6-1-82 BY 1858/301/27

62-77485-16  
MAR 25 1952

## Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. Belmont *AB*  
 FROM : V. P. Keary *VPK*  
 SUBJECT: NAME CHECKS FOR SENATOR HUMPHREY *M*

DATE: March 11, 1952

*100-4-111*

Mr. Michael Horan of the Department telephonically advised me he had attended a meeting of the Senate Judiciary Committee on Nominations this morning and that after the meeting, [redacted] to Senator Humphrey had approached him. [redacted] stated he had asked the Bureau to make name checks on the Senator's staff and had been turned down. He stated he did not understand why Senator Humphrey could not get name checks from the Bureau since they were made for some of the other Senators. Horan stated he advised [redacted] he was not informed on this matter, but that he was certain there was no discrimination insofar as the Bureau was concerned with respect to Senator Humphrey. He stated he further pointed out to [redacted] that the Bureau has a very heavy workload and in addition, is limited as to the information it can furnish outside of the Executive branch of the government. *L70*

[redacted] wanted to know with whom he could take the matter up and get the Bureau to make the name checks. Horan advised him that the Attorney General would have to rule on the Bureau furnishing such information, but that he had no suggestions for [redacted] as to taking the matter up any further.

Horan stated he wanted to advise us since [redacted] may pursue the matter concerning name checks of Senator Humphrey's staff.

RECORDED-114

VPK:mls

ALL INFORMATION CONTAINED  
 HEREIN IS UNCLASSIFIED  
 DATE 6-7-82 BY 7857/SAL/6

EX-18

APR 18 1952

FBI FILES

*Suggest Nichols see  
 Senator Humphrey  
 & straighten him out.  
 We are not going to  
 make name checks.*

*4 30 [redacted]  
 call [redacted]  
 [redacted] [redacted]  
 memo Tolson  
 4-11-52  
 66 MAY 1 1952*

## Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. Tolson  
 FROM : L. B. Nichols  
 SUBJECT: *H. L. Hunt*

ALL INFORMATION CONTAINED  
 HEREIN IS UNCLASSIFIED  
 DATE *6-1-82* BY *7587 SA/QC/10*

Tolson ☒  
 Ladd ☒  
 Clegg ☒  
 Glavin ☒  
 Nichols ☒  
 Rosen ☒  
 Tracy ☒  
 Harbo ☒  
 Mohr ☒  
 Tele. Room ☒  
 Nease ☒  
 Gandy ☒

With reference to the Director's notation on [redacted] memorandum to Mr. Belmont dated March 11, 1952, to the effect I should see Senator Humphrey and straighten him out in making name checks for Congressmen, I wish to advise that I did this some time ago.

While I was waiting to see the Senator, [redacted] stated he wanted to see me. [redacted] brought up the matter of name checks. I went into this in detail with him. [redacted]

After seeing [redacted] I have checked our files and do not find anything that even approximates what he had and I am forced to the conclusion that what he had was a check of the House Committee on Un-American Activities. *62-77485-18*

I asked [redacted] to give me either the memorandum or the list of the names in it, which he stated he would do, but which he has not done. I see no need to follow this further. *EX-18*

[redacted] was primarily concerned that Senator McCarthy was leveling an attack upon Senator Humphrey. *PERS. FILES*

After seeing [redacted] I talked to Senator Humphrey. The Senator told me he was not half as much concerned as was [redacted]. The Senator thoroughly understands our position and we will have no further difficulty with him. I told him that if at any time when a matter of mutual interest arose he should call us as it

cc - Mr. Ladd

Mr. Belmont

LBN:MP

MAY 1 1952  
 MAY 1 1952

*1. [redacted] should certainly be told that what [redacted] said he didn't get from you -  
 2. Also why did it take from Mar. 12 to April 11 for Nichols to get around to this?*

Memorandum to Mr. Tolson

April 11, 1952

might be an instance wherein we could be of assistance to him, in which event he could be assured we would bend over backwards.

The Senator was very friendly and spoke of the Bureau in most commendatory terms.

He brought up again the Lee Mortimer book. I told him I had checked and found we had recommended Ed Ryan to him as Chief of Police and that I thought the thing for him to do was just take it easy and not get too excited. He stated he had come to that conclusion himself.

*V. W.*

## Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. Tolson

DATE: April 14, 1952

FROM : L. B. Nichols

SUBJECT: Robert H. Humphrey

G.I.R.-6

With reference to the Director's notation on my memorandum of April 11th, I wish to advise as follows:

1. The Director states that [redacted] should be told that [redacted] I did this at the time I talked to [redacted] and in a subsequent conversation I so informed him. b7c

2. The Director inquires why it took from March 12th to April 11th to get around to seeing Humphrey.

You are advised that the memorandum containing the Director's notation instructing that I see Humphrey was received by me on March 12th, a Wednesday. I had difficulty seeing Humphrey and I did see him on March 18th, however, I was not able to dictate a memorandum until April 11th as I was checking files, and frankly there were more important things to be done.

LBN:CMC

*Wro*  
A delay of over 3 weeks is entirely too long to dictate a memo of record.

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 6-1-82 BY 9855 GSK/uc/gc

RECORDED-114

EX-18

APR 18 1952

Wro  
PERS. FILES

66 MAY 1 1952



XXXXXX  
XXXXXX  
XXXXXXFEDERAL BUREAU OF INVESTIGATION  
FOIPA DELETED PAGE INFORMATION SHEET5

Page(s) withheld entirely at this location in the file. One or more of the following statements, where indicated, explain this deletion.

- ☐ Deleted under exemption(s) \_\_\_\_\_ with no segregable material available for release to you.
- ☐ Information pertained only to a third party with no reference to you or the subject of your request.
- ☐ Information pertained only to a third party. Your name is listed in the title only.
- ☐ Document(s) originating with the following government agency(ies) \_\_\_\_\_, was/were forwarded to them for direct response to you.

5

Page(s) referred for consultation to the following government agency(ies); Veteran's Admin.  
\_\_\_\_\_ as the information originated with them. You will be advised of availability upon return of the material to the FBI.

Page(s) withheld for the following reason(s):  
\_\_\_\_\_  
\_\_\_\_\_

☐ For your information: \_\_\_\_\_  
\_\_\_\_\_

☒ The following number is to be used for reference regarding these pages:

62-77485-20

XXXXXX  
XXXXXX  
XXXXXX
 XXXXXXXXXXXXXXXXXXXX  
 X DELETED PAGE(S) X  
 X NO DUPLICATION FEE X  
 X FOR THIS PAGE X  
 XXXXXXXXXXXXXXXXXXXX

68

JOSEPH R. MCCARTHY, WIS. AIRMA  
KARL E. MUNDY, S. DAK.  
MARSHALL CHASE SMITH, MAINE  
HENRY C. DWORKIN, IDAHO  
EVERETT MCKINLEY DIRKSEN, ILL.  
JOHN MARSHALL BUTLER, MD.  
CHARLES E. POTTER, MICH.  
JOHN L. MCCLINTOCK, ARK.  
CLYDE R. HOEY, N. C.  
HUBERT H. HUMPHREY, MINN.  
HENRY M. JACKSON, WASH.  
JOHN F. KENNEDY, MASS.  
STUART SYMINGTON, MO.  
WALTER L. REYNOLDS, CHIEF CLERK

# United States Senate

COMMITTEE ON  
GOVERNMENT OPERATIONS

February 6, 1953

[REDACTED]  
Special Agent, Headquarters  
Federal Bureau of Investigation  
Washington, D. C.

Dear Mr. Gillies:

Just a note to express my appreciation for your taking the time to give me a brief view of the interworkings of the Federal Bureau. I was only sorry that I was unable to spend sufficient time to see all of the interesting exhibits and technical laboratories. Some time in the not too distant future, I would like to bring the Senator and make another more extensive tour.

The Bureau is certainly to be commended for an outstanding display job.

Again, my thanks for your helpfulness.

Sincerely yours,

[REDACTED] <sup>076</sup>  
Senator Hubert H. Humphrey

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 6-2-82 BY 7858/SR/CLP/JO

RECORDED - 47

162-77485-21  
FEB. 17, 1953

EX-113

APR  
ACK 2-10-53  
[REDACTED]

[REDACTED]  
69

February 10, 1953

62-77485-21

RECORDED - 47

INDEXED - 47

Room 140  
Senate Office Building  
Washington 25, D. C.

Dear [REDACTED]

EX-113

[REDACTED] has brought  
to my attention your kind letter to him of February 6,  
1953.

I am indeed gratified that you enjoyed  
your recent visit to our headquarters, and I want  
to thank you for your thoughtfulness in so advising  
us. I do hope, however, that you will have an  
opportunity in the near future to take a more  
extensive tour and that Senator Humphrey can  
accompany you at that time.

Sincerely yours,

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 6-2-82 BY 7828/SR/ce/jgo

COMM - FBI

FEB 11 1953

MAILED 19

CC - [REDACTED] with copy of inc. (Room 4246)

NOTE: On 2-4-53 [REDACTED] of the Crime Records Section  
took [REDACTED] on a very brief tour of the Bureau. It  
was necessary that this tour be brief because of lack  
of time on the part of [REDACTED]

Address per phone call to Senate Office  
Building.

Tolson \_\_\_\_\_  
Ladd \_\_\_\_\_  
Nichols \_\_\_\_\_  
Belmont \_\_\_\_\_  
Clegg \_\_\_\_\_  
Glavin \_\_\_\_\_  
Harbo \_\_\_\_\_  
Rosen \_\_\_\_\_  
Tracy \_\_\_\_\_  
Laughlin \_\_\_\_\_  
Mohr \_\_\_\_\_  
Winterrowd \_\_\_\_\_  
Tele. Rm. \_\_\_\_\_  
Gandy \_\_\_\_\_

78 FEB 26 1953

Handwritten signatures and initials, including a large '70' at the bottom right.

HUBERT H. HUMPHREY  
MINNESOTA

United States Senate

WASHINGTON, D. C.

February 4, 1953

b7c

Mr. Louis V. Nichols  
Assistant to the Director  
Federal Bureau of Investigation  
Washington, D. C.

Dear Mr. Nichols:

Pursuant to our telephone conversation of Tuesday,  
February 3, 1953, I have attached the names and a  
brief biographical sketch of each of the members of  
our staff. Any assistance you may be able to render  
the Senator will be very much appreciated by him.

Sincerely yours,

Hubert H. Humphrey

136 ENCL  
DATE 6-2-82 BY 7858/SA/CL/PO

RECORDED - 23

INDEXED - 23

162-77485-22  
FEB 27 1953

WFOUR

63 MAR 20 1953

XXXXXX  
XXXXXX  
XXXXXXFEDERAL BUREAU OF INVESTIGATION  
FOIPA DELETED PAGE INFORMATION SHEET13

Page(s) withheld entirely at this location in the file. One or more of the following statements, where indicated, explain this deletion.

- ☒ Deleted under exemption(s) b7c with no segregable material available for release to you.
- ☐ Information pertained only to a third party with no reference to you or the subject of your request.
- ☐ Information pertained only to a third party. Your name is listed in the title only.
- ☐ Document(s) originating with the following government agency(ies) \_\_\_\_\_, was/were forwarded to them for direct response to you.

\_\_\_\_\_ Page(s) referred for consultation to the following government agency(ies); \_\_\_\_\_ as the information originated with them. You will be advised of availability upon return of the material to the FBI.

\_\_\_\_\_ Page(s) withheld for the following reason(s):  
\_\_\_\_\_  
\_\_\_\_\_

☐ For your information: \_\_\_\_\_  
\_\_\_\_\_

- ☒ The following number is to be used for reference regarding these pages:

62-77475-22 (enclosures)

XXXXXX  
XXXXXX  
XXXXXX
 XXXXXXXXXXXXXXXXXXXX  
 X DELETED PAGE(S)  
 X NO DUPLICATION FEE  
 X FOR THIS PAGE  
 XXXXXXXXXXXXXXXXXXXX

UM • UNITED STATES GOVERNMENT

TO : Mr. Tolson ✓  
FROM : L. B. Nichols  
SUBJECT:

DATE: February 4, 1953

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 6-2-82 BY 7895/SG/CE/DA

Senator Hubert H. Humphrey (D-Minnesota), called me on February 3rd and came by the office today. The purpose of his call was to advise that Senator Humphrey had gone on the Foreign Relations Committee; that he would come in contact with top secret information and the Senator would like for us to make a name check of the employees in his office as he did not want to have anyone in the office on whom there was any question of suspicion.

I told [REDACTED] that we could not do this and we certainly could not make any investigations.

He then inquired about furnishing us the names and if there was anything on any one of them which should be brought to Humphrey's attention, whether we could do it. I told him he could furnish us the names but I would not make any commitments, although as he knew, we had a very friendly relationship with the Senator personally.

At the time [redacted] came by my office he left the attached list of 13 names with biographical data. He stated that if we could not process all 13 of them there were four who were exceedingly important, namely, [redacted]

I suggest that we check files on these four and if we have not investigated them we might go this far in advising him. They have not been investigated

Simms stated that Humphrey will be running for re-election in 1954 and that they wanted to get squared away to avoid as much criticism as possible. He is going to check with the Un-American Activities Committee for anything they might have on the staff. He states that he anticipates that Senator McCarthy and [REDACTED] might come into the state of Minnesota to campaign against the Senator. He stated that he was wondering whether they would

cc - Mr. Ladd  
MAR 17 1953  
Attachment

RECORDED - 23

FEB 27 1953

Memorandum for Mr. Tolson

February 4, 1953

access to our files. I told him they would have no more access to our files than he had. He stated that by virtue of their positions as Committee Chairmen, he thought there might be a change. I told him that obviously there would be situations wherein the Committee could follow an investigation which would parallel an investigation by the Bureau and if, for example, in a supposititious case, his name should be injected, that obviously in this case there might be some exchange <sup>of</sup> information as he very well knows from his experience on the Hill.

He states he is not concerned with anything like this.

*[Signature]*

## Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. Nichols

DATE: February 10, 1953

FROM : M. A. [redacted]

SUBJECT:

INFORMATION CONCERNING EMPLOYEES IN  
OFFICE OF SENATOR HUMPHREY  
(DEMOCRAT-MINNESOTA)PURPOSE:Pursuant to your request, there is set forth data  
concerning [redacted]BACKGROUND:By letter to you dated February 4, 1953, [redacted]  
to Senator Humphrey, forwarded  
biographical sketches on the 13 employees in the Office of  
Senator Humphrey. You requested that the files be checked on  
the above-mentioned quartet.INFORMATION IN BUREAU FILES:

[redacted]

[redacted]

[redacted]

COPIES DESTROYED  
NOV 12 1964 372

63 MAR 20 1953

RECORDED - 23

FEB 27 1953

Tolson  
Ladd  
Nichols  
Belmont  
Clegg  
Glavin  
Harbo  
Rosen  
Tracy  
Laughlin  
Mohr  
Winterrowd  
Tele. Rm.  
Holloman  
Gandy

I. R. -8

DATE 6-2-82 BY 2832/SK/CPD 5-1

b7c

Memo to Mr. Nichols

February 10, 1953

[REDACTED]

RECOMMENDATION:

b7c

It is recommended that you call [REDACTED] and advise him that we have never investigated any of the four key members of Senator Humphrey's staff.

[REDACTED]  
Belmont  
2/17  
non

OK.  
agree  
JPM  
2/10/53  
I concur.  
H

JOSEPH R. MCCARTHY, WIS., CHAIRMAN  
JOHN L. MCCLELLAN, ARK.  
MARGARET CHASE SMITH, MAINE  
CLYDE R. HOEY, N. C.  
HENRY G. DWORSHAK, IDAHO  
HUBERT H. HUMPHREY, MINN.  
EVERETT MCKINLEY DICKSEN, ILL.  
HENRY M. JACKSON, WASH.  
JOHN MARSHALL BUTLER, MD.  
JOHN F. KENNEDY, MASS.  
CHARLES E. POTTER, MICH.  
STUART SYMINGTON, MO.  
WALTER L. REYNOLDS, CHIEF CLERK

## United States Senate

COMMITTEE ON  
GOVERNMENT OPERATIONS

February 10, 1953

Mr. Louis B. Nichols  
Assistant to the Director  
Federal Bureau of Investigation  
Washington, D. C.

Dear Mr. Nichols:

Just a brief note to thank you for your courtesy on my visit to the Bureau the other day. [REDACTED] was most kind and helpful in showing me through the laboratories. Unfortunately my time was so limited that I wasn't able to see nearly as much as I had hoped to. Some time in the not too far distant future I hope that the Senator can join me in making a more comprehensive tour of your facilities.

I thought you might be interested in the attached clipping concerning the formation of a new group in Minnesota. The "letter" addressed to President Eisenhower mentioned in this clipping was prepared by [REDACTED]

With best regards,

Sincerely yours,

Senator Hubert H. Humphrey

RECORDED - 105  
INDEXED - 105

162-77485-25  
FEB 26 1953

DATE 6-9-82 BY 7858/SR/ce/cg

February 16, 1953

RECORDED - 105

62-77485-25

[REDACTED] to  
Senator Hubert H. Humphrey  
United States Senate  
Washington, D. C.

B. I. R. 10

Dear [REDACTED]

Your letter dated February 10, 1953, directed to Mr. Nichols of this Bureau and the enclosed newspaper clipping have been received.

Your courtesy in forwarding this material for my attention is indeed appreciated and I am grateful for the interest which prompted your communication.

It was a pleasure to have you examine our facilities recently and I will be glad to arrange a more comprehensive tour at your convenience.

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED

Sincerely yours,  
John Edgar Hoover  
Director

2 cc - Minneapolis (with copies of incoming and enclosure)

COMM - FBI

FEB 17 1953

MAILED 25

Bureau indicates negative re Minnesota Citizens Committee for Peace in Korea.

Tolson \_\_\_\_\_  
Ladd \_\_\_\_\_  
Nichols \_\_\_\_\_  
Belmont \_\_\_\_\_  
Clegg \_\_\_\_\_  
Glavin \_\_\_\_\_  
Harbo \_\_\_\_\_  
Rosen \_\_\_\_\_  
Tracy \_\_\_\_\_  
Laughlin \_\_\_\_\_  
Mohr \_\_\_\_\_  
Winterrowd \_\_\_\_\_  
Tele. Rm. \_\_\_\_\_  
Gandy \_\_\_\_\_

SAC, Minneapolis - You are requested to furnish the Bureau any information available in your office files concerning the activities of the group known as the Minnesota Citizens Committee for Peace in Korea together with your recommendation as to whether a security investigation of this organization is warranted.

(See note on yellow only (page two))

MAR 10 1953

XXXXXX  
XXXXXX  
XXXXXX

FEDERAL BUREAU OF INVESTIGATION  
FOIPA DELETED PAGE INFORMATION SHEET

1 Page(s) withheld entirely at this location in the file. One or more of the following statements, where indicated, explain this deletion.

- ☒ Deleted under exemption(s) b7C with no segregable material available for release to you.
- ☐ Information pertained only to a third party with no reference to you or the subject of your request.
- ☐ Information pertained only to a third party. Your name is listed in the title only.
- ☐ Document(s) originating with the following government agency(ies) \_\_\_\_\_, was/were forwarded to them for direct response to you.

         Page(s) referred for consultation to the following government agency(ies); \_\_\_\_\_ as the information originated with them. You will be advised of availability upon return of the material to the FBI.

         Page(s) withheld for the following reason(s):  
\_\_\_\_\_  
\_\_\_\_\_

☐ For your information: \_\_\_\_\_  
\_\_\_\_\_

☒ The following number is to be used for reference regarding these pages:  
66-11145-22

XXXXXX  
XXXXXX  
XXXXXX

XXXXXXXXXXXXXXXXXXXXX  
X DELETED PAGE(S) X  
X NO DUPLICATION FEE X  
X FOR THIS PAGE X  
XXXXXXXXXXXXXXXXXXXXX

79

XXXXXX  
XXXXXX  
XXXXXXFEDERAL BUREAU OF INVESTIGATION  
FOIPA DELETED PAGE INFORMATION SHEET4

Page(s) withheld entirely at this location in the file. One or more of the following statements, where indicated, explain this deletion.

- ☐ Deleted under exemption(s) \_\_\_\_\_ with no segregable material available for release to you.
- ☐ Information pertained only to a third party with no reference to you or the subject of your request.
- ☐ Information pertained only to a third party. Your name is listed in the title only.
- ☒ Document(s) originating with the following government agency(ies) Dept. of Justice, was/were forwarded to them for direct response to you.

\_\_\_\_\_ Page(s) referred for consultation to the following government agency(ies); \_\_\_\_\_ as the information originated with them. You will be advised of availability upon return of the material to the FBI.

\_\_\_\_\_ Page(s) withheld for the following reason(s):  
\_\_\_\_\_  
\_\_\_\_\_

☐ For your information: \_\_\_\_\_  
\_\_\_\_\_

☒ The following number is to be used for reference regarding these pages:

62-77495-26

XXXXXX  
XXXXXX  
XXXXXX
 XXXXXXXXXXXXXXXXXXXX  
 X DELETED PAGE(S) X  
 X NO DUPLICATION FEE X  
 X FOR THIS PAGE X  
 XXXXXXXXXXXXXXXXXXXX

Mr. William P. Rogers  
Deputy Attorney General

April 9, 1953

Attention: Mr. Robert W. Minor

Director, FBI

62-77485-26  
LETTER FROM SEN. TOR HUBERT H. HUMPHREY  
REGARDING CIVIL RIGHTS

RECORDED-123

Reference is made to the memorandum of April 2, 1953, from Mr. Minor asking for my comments on that portion of Senator Humphrey's attached letter referring to the Federal Bureau of Investigation.

Extensive and intensive training is given to all regularly appointed Special Agents of the Federal Bureau of Investigation before they are sent into the field to conduct investigations. This training includes training with reference to violations of presently enacted Federal Civil Rights statutes as well as violations of other Federal Statutes over which we have primary jurisdiction.

All agents are afforded a retraining course periodically which includes training in civil rights investigations, current policies, and up-to-date methods of investigations. In addition the Bureau has held specialized training schools for personnel on a selected basis. This training is designed to give these men intensive, individual training in investigations of civil rights violations.

All civil rights investigations are assigned to mature and experienced agents to insure their proper handling and are given very careful supervision both in the field and at the Seat of Government where a separate unit to handle these matters is established.

I feel that training in the investigations of civil rights violations as well as any violation of a Federal Statute is of primary importance and I shall continue to demand this training. As to the investigations, you may rest assured they are handled with dispatch and thoroughness.

In accordance with your request, Senator Humphrey's letter is attached hereto.

Tolson  
Ladd  
Nichols  
Belmont  
Clegg  
Glavin  
Harbo  
Rosen  
Tracy  
Laughlin  
Mohr  
Tele. Rm.  
Holloman  
Gand

Attachment

EW/rh

63 APR 24 1953

MAILED 11  
APR 9 1953  
COMM-FBI

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 6-2-82 BY 2858/SAK/BJG

APR 11 11 23 AM '53  
U.S. DEPT. OF JUSTICE

## Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. Ladd

DATE: April 9, 1953

FROM : Mr. Rosen

SUBJECT: LETTER FROM SENATOR HUBERT H. HUMPHREY  
REGARDING CIVIL RIGHTSALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED

Tolson	
Ladd	
Nichols	
Belmont	
Mohr	
Glavin	
Harbo	
Rosen	
Tracy	
Laughlin	
Nease	
Tele. Room	
Holloman	
Gandy	

By memorandum dated April 2, 1953, the First Assistant to the Deputy Attorney General, Robert W. Minor, forwarded a letter dated February 24, 1953, which Attorney General Brownell had received from Senator Humphrey regarding Senate Bill #464.

Mr. Minor requested comments with respect to the reference in the second paragraph of Senator Humphrey's letter which states in part, "The bill would increase the personnel of the FBI so as to include agents trained in investigating civil rights violations and thus better able to carry out the functions of the Bureau under Federal Law."

Senate Bill #464, 83rd Congress, introduced January 13, 1953, provides for a reorganization of the Department of Justice to provide an additional Assistant Attorney General, appointed by the President and confirmed by the Senate, to be in charge of a civil rights division. Section 102 of this bill provides "The personnel of the FBI of the Department of Justice shall be increased to the extent necessary to carry out effectively the duties of such Bureau with respect to the investigations of civil rights cases under applicable Federal Law. Such Bureau shall include in the training of its agents appropriate training and instructions, to be approved by the Attorney General, in the investigation of civil rights cases." Senator Humphrey, in addition, says in his letter that he is sure that the Attorney General is interested in the enactment of an effective civil rights program. He says that he is not particularly interested in whether Senate Bill #464 becomes law or whether the objective can be attained through effective reorganization, or through the enactment of a bill introduced by some other member of Congress. He requested the Department to investigate the possibility of attaining the objectives of this bill through the Reorganization Act of 1953.

It is to be noted in the reply to the Deputy Attorney General we refer to the fact that a specialized school has been given with respect to civil rights matters. The last school held was for two days January 14 and 15, 1952. It is to be noted that separate consideration is being given to the holding of another specialized school on civil rights matters in view of the number of developments which have occurred in the past year, such as the civil rights cases in New York.

RECOMMENDATION:

That attached memorandum be forwarded to Deputy Attorney Rogers.

Attachment

MAY 6 1953

RECORDED-77

INDEXED-77

APR 20 1953

UNRECORDED COPY FILED IN

92

## Office Memorandum • UNITED STATES GOVERNMENT

TO : Director, FBI  
 FROM : SAC, Minneapolis

DATE: June 15, 1953

SUBJECT: SENATOR HUBERT H. HUMPHREY  
 INFORMATION CONCERNING

ALL INFORMATION CONTAINED  
 HEREIN IS UNCLASSIFIED  
 DATE 6-2-84 BY 4858/SA/ajg

Mr. L. \_\_\_\_\_  
 Mr. Nichols \_\_\_\_\_  
 Mr. Clegg \_\_\_\_\_  
 Mr. Glavin \_\_\_\_\_  
 Mr. Harbo \_\_\_\_\_  
 Mr. Rosen \_\_\_\_\_  
 Mr. Tracy \_\_\_\_\_  
 Mr. Gearty \_\_\_\_\_  
 Mr. Mohr \_\_\_\_\_  
 Mr. Winterrowd \_\_\_\_\_  
 Tele. Room \_\_\_\_\_  
 Mr. Holloman \_\_\_\_\_  
 Mr. Sizoo \_\_\_\_\_  
 Miss Gandy \_\_\_\_\_

On June 12, 1953, ASAC CALVIN B. HOWARD addressed the 1953 Annual Convention of the Minnesota Chapter of the National Association of Postmasters at Faribault, Minnesota. U. S. Senator HUBERT H. HUMPHREY from Minnesota, also addressed this gathering on the same date. Senator HUMPHREY, during his address, took occasion to speak highly of the FBI and the Director. He expressed the utmost confidence in the FBI's handling of security matters. Senator HUMPHREY made the statement, "I trust Mr. JOHN EDGAR HOOVER. I have the utmost faith in the FBI and the integrity of its agents."

Following Senator HUMPHREY's address, ASAC HOWARD personally expressed in behalf of the Director and the FBI appreciation of the commendable remarks made by Senator HUMPHREY.

This is for the Bureau's information.

CBH:est

RECORDED-12

JUN 18 2 51 PM '53

JUN 24 1953

63 JUL 7 1953

62-77485-28

JUN 24 1953

JUN 24 1953

JUN 24 1953

Office Memorandum • UNITED STATES GOVERNMENT

TO : Director, FBI  
 FROM : SAC, Minneapolis  
 SUBJECT:

DATE: June 17, 1953

I am in receipt of a personal letter from Senator HUBERT H. HUMPHREY which reads as follows:

"Hubert H. Humphrey  
 Minnesota

HUBERT HUMPHREY

UNITED STATES SENATE  
 Washington, DC

June 5, 1953

"Mr. W. G. Banister  
 7824 W. Lake Street  
 St. Louis Park, Minnesota

115-1

Dear Mr. Banister:

We all have a deep and abiding respect for the work of the FBI and we owe a great deal to you men who devote your lives to this work. I am sure that if it applies anywhere the designation 'unsung heroes' belongs to you. Certainly the work of the FBI is known to all but it is the individuals who perform the tasks involved so ably that we so seldom get to know about.

Let me just take this opportunity to thank you on behalf of our entire community.

ALL INFORMATION CONTAINED  
 HEREIN IS UNCLASSIFIED  
 DATE 6-2-82 BY 7858/SA/clj/ga

Sincerely yours,

/s/ Hubert H. Humphrey

I have written Senator HUMPHREY thanking him for his good wishes and have informed him that I was advising you of his expression of appreciation for work of the FBI Agents.

Senator HUMPHREY's letter was occasioned apparently by an article appearing in the column "Town Toppers" of the Minneapolis Star as a copy of it was clipped to Senator HUMPHREY's letter.

RECORDED - 23

SE 19

JUN 24 1953

24

84

cony-cm

TO: Mr. Tolson  
FROM: L.B. Nichols  
SUBJECT: *Senator Robert A. Humphrey*

July 22, 1953

For record purposes, [redacted] to Senator Humphrey (D-Minnesota), called [redacted] in my office at 3:25 PM on Friday, July 17, 1953. [redacted] made reference to a check of FBI files under Senate Resolution #16. He advised the Senator now desired to send to Deputy Attorney General William P. Rogers a brief biographical sketch on each of the members of his staff in compliance with the Resolution and he finds he did not retain a copy of a previously prepared list which he sent personally to me under date of February 4, 1953. He said his February 4 letter contained a 13-page enclosure, a copy of which he would appreciate having sent to his office by special messenger. *b2*

Bureau file 62-77485-22 reflects that [redacted] did send me such a list and in compliance with his request I had [redacted] yesterday send over a copy of the desired biographical data on each member of the Senator's staff as originally supplied by the latter.

cc - Mr. Ladd  
cc - Mr. Belmont  
cc - Mr. Rosen

[redacted]:otm

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 6-2-82 BY 1858/sa/ce/gj

62-77485-  
NOT RECORDED  
135 JUL 29 1953

INITIALS ON STAMPING -

75 JUL 31 1953

85

May 31, 1954

Mr. J. Edgar Hoover, Director  
Federal Bureau of Investigation  
Washington, D. C.

*ad 5-1*

Dear Mr. Hoover:

On a recent trip to Minnesota I had brought to my attention some political literature being mailed to certain trade unions. This literature carried the following sponsorship -- Communist Party, Minnesota-Dakotas District, Box 714, Minneapolis, Minnesota, April 1954 release.

I merely wanted to bring this to your attention. I am not sure that it will be of any help to your Bureau but I thought you would like to know that the Communist Party has stepped up its activities in Minnesota, as I am sure it has in other places.

Sincerely,

/s/ H. H. Humphrey  
Hubert H. Humphrey

*[Handwritten signature]*

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 6-2-82 BY 7558 SA/cy/ga

SE 23 162-17485 V  
NOT RECORDED  
199 JUN 14 1954

*[Handwritten signature]*

June 7, 1954

62-77485-✓

PERSONAL AND CONFIDENTIAL

Honorable Hubert H. Humphrey  
United States Senate  
Washington, D. C.

My dear Senator:

Your letter dated May 31, 1954, has been received. It was indeed thoughtful of you to transmit this information for my attention.

Please feel free to communicate with me at any time I may be of assistance.

Sincerely yours,

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 6-2-82 BY 75586 R/CLG

2 cc - Minneapolis (with copies of incoming)  
You are requested to alert your informants and sources to the possibility of increased activity on the part of the leadership in District #9, Communist Party, USA, as indicated in the attachment.

NOTE ON YELLOW ONLY:

Summary of activities July 1 - December 31, 1953, CP, USA, prepared 2-1-54 discloses District #9 maintains no official headquarters but literature is received through Post Office Box 714, Minneapolis.

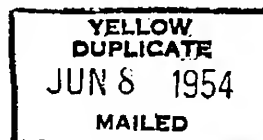
Senator's letter dated May 31; however, postmarked June 3, 1954.

cc - Bufile 100-3-17-

Tolson \_\_\_\_\_  
Boardman \_\_\_\_\_  
Nichols \_\_\_\_\_  
Belmont \_\_\_\_\_  
Glavin \_\_\_\_\_  
Harbo \_\_\_\_\_  
Rosen \_\_\_\_\_  
Tamm \_\_\_\_\_  
Tracy \_\_\_\_\_  
Mohr \_\_\_\_\_  
Winterrowd \_\_\_\_\_  
Tele. Room \_\_\_\_\_  
Holloman \_\_\_\_\_  
Miss Gandy \_\_\_\_\_

jal

bx



NOT RECORDED  
199 JUN 11 1954

JUN 17 1954

87

Office Memorandum • UNITED STATES GOVERNMENT

TO : Director, FBI (77-44669)

FROM : SAC, Minneapolis (100-6234)

SUBJECT: SENATOR HUBERT H. HUMPHREY  
INFORMATION CONCERNING

Mr. Tolson  
Mr. Boardman  
Mr. Nichols  
Mr. Belmont  
Mr. Mohr  
Mr. Parsons  
Mr. Rosen  
Mr. Tamm  
Mr. Sizoo  
Mr. Winterrowd  
Tele. Room  
Mr. Holloman  
Miss Gandy

DATE: June 30, 1954

[REDACTED]

[REDACTED]

[REDACTED]

REGISTERED MAIL

100-6234

pjw

cc: 100-2766

66-1035

COPIES DESTROYED

NOV 12 1964

60 AUG 4 1954

INDEXED

RECORDED

RECEIVED

JUL 9 1954

CLASS. &amp; EXT. BY 78581

DATE OF 6-2-90

6-2-82

EXP. PROC.

88

Director, FBI  
Re: SENATOR HUBERT H. HUMPHREY

CONFIDENTIAL

[REDACTED]

This information is submitted for the Bureau's information, and no other action is being taken.